

SMART News!

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www.reformseiu.org

DEMOCRACY = STRENGTH.

There is no better time for a group like SMART (SEIU Member Activists for Reform Today). Over the last 30 years, the lives of working people have become more difficult. Meanwhile, unions—whose purpose it is to improve the lives of workers—seem weaker than ever. We face real problems and want real answers.

SEIU president Andy Stern helped spark the debate about what it would take to rebuild the labor movement when he led SEIU out of the AFL-CIO; however, it soon became clear that he was offering little different from the past: sweetheart deals with employers, a disdain for democracy, and lax attitude toward corruption.

In fact, within the last month, three top SEIU leaders close to Stern have stepped down amidst allegations of corruption involving union members' dues. The SEIU International, however, decided not to attack corruption, but instead to attack SEIU's fastest

growing local SEIU United Healthcare Workers West (UHW)—a 150,000-member, Oakland-based healthcare local.

Why? Because UHW like SMART criticizes back-room deals that rob members of their rights. Because UHW like SMART fights to ensure rank-and-file members are at the bargaining table. Because UHW like SMART promotes the idea that democracy equals strength.

SMART is a group whose purpose is to put SEIU back into the hands of rank-and-file members. Democracy isn't a feel-good extra. It's an essential component for a healthy union that draws on the strength, the creativity, and dedication of every one of its members. Trying to side step democracy leads to the situation we have now.

We hope you join us! Read this newsletter and check out www.reformseiu.org!

The High Price of Purple Dissent

By Steve Early

This article was written before the UHW trusteeship hearings which took place on September 26-27.

The tireless members of United Healthcare Workers (UHW) will be on the march again this weekend, in what's likely to be one of the largest anti-trusteeship protests in U.S. labor history. Thousands of rank-and-filers will tell Service Employees International Union President Andy Stern that they prefer their own elected officers to "the strong and stable [appointed] leadership" SEIU promised to send them from Washington, D.C., in a letter received by all 150,000 UHW members in California last month.

The city of San Mateo is hosting this latest "Hands Off Our Union" rally, a sequel to earlier ones in San Jose, Manhattan Beach, Oakland, and elsewhere. The long-running UHW take-over drama (almost a telenovela by now) began in March when Stern accused his most outspoken critic, UHW President Sal Rosselli, of various offenses including meeting secretly with Rose Ann DeMoro, of the California Nurses Association, an arch enemy of what Stern once called his "Purple Army." (This treason-and-conspiracy count has since been dropped in a superceding SEIU "indictment" of Rosselli.)

In San Mateo, the ire of UHW mutineers may be directed also at 80-year old Ray Marshall, a Jimmy Carter cabinet member who now serves on the board of the Economic Policy Institute, a progressive think-tank backed by SEIU. Marshall is a retired economics professor from Texas, who's flying in from Austin to conduct a "pre-trusteeship" hearing on Friday and Saturday designed to give UHW a modicum of "due process" before imposition of SEIU-style martial

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On September 6, several thousand members of SEIU United Healthcare Workers-West (UHW) marched through San Jose to protest the threat of trusteeship by the SEIU International.

What Is SMART?

SMART (SEIU Member Activists for Reform Today) is a rank-and-file movement for the democratic reform of SEIU. We are leaders from many local unions, and from every division of SEIU: public-sector, property services and healthcare.

We are organized rank-and-file members who believe that members are the real source of strength for our Union and the people behind every victory.

Members have fought for years in our work sites, in the streets, and in the halls of government to make SEIU the largest and strongest union in the country – now two million workers strong. Members know that growth is critical to our success, and to rebuilding a fighting labor movement – but not growth at all costs, and not without full participation of the members.

In the name of growth, some

recent agreements orchestrated by SEIU's leadership have traded away high contract standards, limited members' free speech and ability to protect the public we serve, and compromised our right to strike. All this has been done without real member involvement.

Many in SEIU have grave concerns that in recent years, SEIU's leadership in D.C. has drifted away from the membership, forgetting that we are the ones who make our union strong. Dozens of mergers have been imposed without any member involvement or democratic procedures, elected leaders have been replaced with appointed ones. Constitutional changes have given the president and international union's executive board unprecedented powers to force coordinated bargaining, appoint our bargaining teams, and settle our contracts.



Maya Morris from UHW speaks at a San Francisco Bay Area SMART meeting about the SEIU International's attempt to trustee her local.

Upcoming Events

*October 5, Sunday, 1pm-3pm
San Fran. Bay Area SMART Meeting*

253 Hyde St @ Eddy in San Francisco.
Street parking available, but taking public transit may be advisable. Near Civic Center BART.

Call (415) 572-4112 for more information.

What We Stand For

SMART is building a movement to take back our union and prevent corruption and the abuse of power by our leaders.

We believe:

- SEIU must be democratic and bottom-up. It's not just what's right; it's the only way to win! Members fight everyday in our workplaces to build strong union, and we are the most effective political campaigners and organizers of new workers.
- We must negotiate from a position of strength and fight when necessary. We must not accept second-class contracts.
- All members must have the right to vote for SEIU officers and negotiating teams, on our contracts, and to authorize strikes. We will not accept more secret deals or appointed leaders.
- We must have the right to vote local by local on mergers or

reorganizations, elect officers of new locals quickly, and expect that locals will never be trusted for political reasons.

- Our union must advocate for the communities we serve, protect our rights to speak out on safety and patient care, and fight for adequate funding for public services.
- We must re-unite and rebuild the labor movement, and we must build political power to demand real social and economic justice.

Want to Join SMART?

Sign-up online at www.reformseiu.org or call (510) 409.4324 and we can get you in touch with others in your local!

What Union Democracy Doesn't Mean.

by Mary C. Magee and Roxanne Sanchez, SEIU Local 1021

The troubles in the Service Employees International Union, and within SEIU Local 1021 in San Francisco, share a similar theme. How much do individual locals direct their work in the face of the international's set agenda? And more important, how do union members themselves direct the vision, use of resources, and work of both their local and international union? What is union democracy and how is it made real?

Active members in Local 1021 learned a painful lesson recently when we discovered that senior 1021 staff ran a clandestine campaign during a member election to choose delegates to SEIU's quadrennial convention this June. These same senior staff demanded that their junior staff remain completely neutral and uninvolved in the election.

A key tenet of union democracy is recognition by all parties that the union staffers work for the members, whose dues pay for their salaries and benefits, their offices, and the programs run by the union.

Local 1021's governing bodies were appointed by Andy Stern, president of the international, at the time of the merger of ten locals into one. Next year, Local 1021 holds its first officer and executive board elections. It is essential that we lay out bylaws and an election process guaranteeing that the direction of our local union will be led by its members.

We are at a vital juncture. Do we allow the programs and process to be driven by the international, Stern, and his

loyalist staff — or do we assert ourselves as members, examine the issues for ourselves, and choose how we prioritize the work to be done?

At stake is not just the true empowerment of our union, but its credibility. We demand a sense of fair play from the employers we bargain with and consistently take a hard line against managerial favoritism.

In practically every contract campaign, there is a battle over the definition of our union and our very identity. We put forth photographs of our members, use their quotes in the press, and otherwise say to the public, the press, and elected officials that “these people are the

“Without the international showing respect for...democratic empowerment at the local and worksite levels, we cannot hope for existing members to feel like stakeholders in their union, or to inspire prospective members to join us in the future.”

union — the nurses, transit workers, librarians, road crews and others who serve our community.”

Meanwhile, management — as well as anti-union lobbies, officials, and think tanks — speak in more pejorative terms of “union bosses” and “big labor,” conjuring images of bureaucrats who cut deals, make the real decisions, and are disconnected from their rank-and-file membership.

It is critical that we don't

**Invite SMART to Your
Local or Chapter Meeting!**

If you would like SMART members to give a presentation at your local or chapter meeting for you and your co-workers, please let us know!

**Write us at info@reformseiu.org or call
(510) 409.4324!**

prove our opponents right. If the boss-like behavior of our leaders and the manner in which they govern this union promotes double standards, favoritism, and a lack of local autonomy, we only make it easier for anti-union forces

wages, benefits, and working conditions are being negotiated. Without the international showing respect for local autonomy or democratic empowerment at the local and worksite levels, we cannot hope for existing members to feel like stakeholders in their union, or to inspire prospective members to join us in the future.

Mary C. Magee, RN, works at San Francisco General Hospital. Roxanne Sanchez works for Bay Area Rapid Transit. They are members of SEIU Local 1021, a northern California public sector local with 55,000 members. This letter first appeared in the San Francisco Bay Guardian on April 16, 2008.

to drive a wedge between our members and their union.

Nobody has more at stake in SEIU than the members who pay the bills and whose

**Do YOU Want to Help with
the Newsletter?**

Would you like to write, edit, translate,
etc. for the newsletter?
Contact us at info@reformseiu.org!

Security Officers Watching Their Local 24/7

By Catherine Cox,
SEIU Local 24/7

No. No access. No entry. No you don't. You will not cross this line. If there's one thing that security officers know, it's how to prevent outsiders from crossing a line.

In the fall of 2007, when the organizers and leadership of SEIU Local 24/7 forced us into a sell-out contract—in a sham ratification process in which they refused to show us the details of the contract before the vote—we felt in our hearts that a line had been crossed.

This corruption pushed us out of our “purple poodle” phase—of that enthusiastic, well-meaning SEIU member who jumps when they say jump, who rallies when they say rally. Waking up from purple-poodle-dom isn't fun; you realize that you have been conned and used. We could have started a support group, but instead we got organized.

In the spring of 2008, we saw an opening: “What? No one is running against the incumbents who forced us into that lousy contract?!”

With little notice, our reform group pulled together a slate. Making it onto the ballot was a lot of work. In fact, it felt like a coup in and of itself.

Then the full-on cheating by Local 24/7 incumbents and organizers began. The result? Eighteen separate election issues currently being investigated by the Department of Labor (DOL).

Here are just a few of the complaints being verified by the DOL:

- *Our local's membership list is so inaccurate that about*

25% of the security officers who went to the polling place to vote were told that they weren't eligible to vote.

- *Union organizers were out in force campaigning for the incumbents' slate. Some believe this is technically legal; however, it flies in the face of union democracy. It makes it almost impossible for working, rank-and-file members to hold office in their own union.*
- *Union organizers went so far as to talk security officers into handing over to them their pre-stamped, pre-addressed mail-in ballots which should have gone directly to a special election only P.O. Box.*
- *It was almost two months after the polls closed that there was finally an official election result tabulated. Not surprisingly the incumbents' team was declared winner.*

As we await the results of the DOL's investigation, we have yet another wave of corruption coming at us.

Our “elected” Secretary-Treasurer, Emily Heath has made a motion to raise our union dues. Heath has never worked a day in her life as a security officer but has for years been an organizer in a different SEIU local. In fact, she was only allowed to run for office in our local due to a special exception made by Andy Stern.

If voted on by the membership, this dues hike would never pass. As it is, almost every security officer you speak to is disgruntled with SEIU Local 24/7.

So far the “elected” leadership's tactic is to refuse to tell us the date, time and location of the vote.

But it won't work. Our growing fraternity of security officers who want to clean up our local

is visiting other officers at their worksites, collecting e-mail addresses and phone numbers so that when the date, time, and location of the vote are announced, we can spread the word in a flash to vote “NO!” on the dues increase that the leadership doesn't deserve.

Not only do we security officers guard persons and property, we also keep guard of our dignity and of our rights to participatory democracy within our union.

Local 1000: Reformers On the March!

by Ed Perez, SEIU 1000

SEIU Local 1000 is a statewide local that represents over 90,000 rank-and-file state workers spread out among nine bargaining units. Local 1000 is also an independent affiliate of the California State Employees Association (CSEA). We first became affiliated with SEIU in 1984 and our relationship with the International is governed by a Service Agreement that grants Local 1000 a lot of autonomy.

This year has been a very busy one for members of Local 1000. Last Spring, we held elections for our statewide officers and leaders in our local chapters (referred to as “District Labor Councils” or “DLC”). Also, we also recently elected our bargaining teams and we are in the midst of very difficult contract negotiations with the Governor.

Because of the stalemate with the state budget, Governor Schwarzenegger issued an Executive Order that laid off thousands of part-time state employees and slashed our pay to the federal minimum wage of \$6.55 per hour. Fortunately, State Controller John Chiang (who we helped elect), refused to comply with the order and

eventually sued the governor in federal court. Until the matter is addressed by the courts, our members will continue to receive their full wages. Once the state budget is signed, many of the laid off temporary employees are expected to be rehired.

Within Local 1000, a group of members have come together to form a reform group known as California State Employees United (CSEUnited). CSEUnited was actually an offshoot of an earlier “reform movement” within Local 1000. Members of CSEUnited felt that the earlier reform group strayed from



its original goal of protecting members' rights and establishing a democratic union. So, CSEUnited is now helping “reform the reform movement”.

CSEUnited's victories include:

- *Helping elect the statewide officers of CSEA at our 2005 General Council (convention).*
- *Electing Kathleen Collins as Secretary-Treasurer of the Local. Later this election was overturned by a committee appointed by the running-mate of the incumbent president of the local at the time.*
- *Organized member opposition to a recent dues increase and forced the union's leadership to scale down the dues hike and forced them to require a membership vote prior to implementing the scheduled 2010 dues increase.*
- *In 2008, we again helped elect Kathleen Collins; this time as Vice President for Bargaining. That election was not challenged.*

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I have to admit, when I first received my invitation to attend the United Health Care Workers-West (UHW-W) Leadership Conference in San Jose, I shuddered at the thought. My only other experience with an SEIU conference was the recent SEIU International Convention in San Juan, Puerto Rico. As a long time SEIU activist, I was thrilled to accompany my partner, an elected delegate, to our first ever SEIU International Convention. I was looking forward to seeing how Union business was conducted on the International level.

But in San Juan I received a less than heartfelt welcome. Imagine my surprise, embarrassment and disgust when I was prevented from even getting onto the San Juan Convention Center transport bus - not because it was full, but because I was not an official delegate. I was told that taking a taxi was not an option as only 'official SEIU conference vehicles' were permitted.

It took a special favor from someone high up on the International's payroll to get me a special guest pass. Once I arrived at the convention center, I was shocked to see armed riot police welcoming the delegates and guests! Later I learned that these police had threatened to arrest some of my very own Local Union delegates for standing with the Puerto Rican Teachers Union -FMPR (for more information: <http://www>.

labornotes.org/node/795d). Once I got past this welcome, I was again turned away from the door! Apparently, I appeared to be a threat. Perhaps it was the S.M.A.R.T (SEIU Member Activists for Reform Today) T-shirt I was wearing? I had to have my credentials checked and rechecked before I was allowed onto the spectator section at the very back of the hall.

What a lousy way to treat members, guest and retirees, like myself. Over the course of my working life, I have paid my dues to SEIU; both literally and figuratively. My first association with SEIU was on my first strike line ever at the Center for Independent Living in Berkeley, California. Years later, I would help with organizing Emergency Medical Services (EMS) workers into SEIU (despite initially being rejected by two different SEIU Locals; one told us, "You EMS workers can't be organized; you always flake out in the end"). We went on to sign up several thousand EMS workers at dozens of companies all over northern and central California. My most recent SEIU association was working as a Rescue Paramedic for the San Francisco Fire Department. When I was first hired (for the Department of Public Health before merging with SFFD), Paramedic Chapter life was a bit anemic. But I took it to heart to sign up all my co-workers to be a union member - no fee payers. When I finished, 158 out of 160 paramedics were

full union members. I served two terms as vice-president of the Paramedic Chapter and helped start and edit the widely read, highly controversial (and hilarious) chapter newsletter, the Gurney Gazette. I have spent the greater part of my working life building and recruiting to SEIU, so it is not like I am some sort of "outsider" but that was certainly how I was made to feel in San Juan.

Given my experience in San Juan, you can imagine my reticence to subject myself to another highly policed SEIU Pep rally. Then I heard that some of the best rank and file activists in my Local (1021) were planning on attending the UHW-W conference. Plus, I had been hearing positive things about UHW-W for some time and I was impressed with the reform proposals and motions they had put forward in San Juan, under very difficult circumstances. So I cautiously ventured down to the San Jose conference.

Still I was a bit wary and a bit skeptical when I arrived at the San Jose Convention Center; but my first observation - not a single cop in sight, nor a security officer, nor an army of walkie-talkie wearing sergeant at arms. People loved my S.M.A.R.T. T-shirt; strangers even gave me hugs for wearing it!

Even though I am a member of SEIU 1021 and a retired paramedic with the San Francisco Fire Department, I was welcomed as a guest to the UHW-W convention with open arms. At the UHW-W conference, I was not seated at the back of the hall. I was free to take part in the workshops and wandered in and out of session.

But the difference between San Jose and San Juan was more than just form. The dif-

ference was also in substance. In San Juan, platitudes were plentiful and the generalities were generous. Andy Stern told us what to think, what to say and how to act. In San Jose, were told to think, to act and given a say. In San Juan, I was told that Local Leaders are myopic, often misguided, self-interested and prone to making mistakes. The only people we could really trust were the far-sighted, selfless, infallible, clever people at the International level. In San Jose, the message from the stage was to trust your member-leaders-they are just as smart as the full timers and in addition, the member-leaders are have their finger on the pulse of their co-workers' concerns.

In San Juan, we were cautioned about "wasting" too much time on members' problems. This was termed the old "just us" union mentality. In San Jose, we were reminded that winning good contracts and then enforcing contracts is what binds members to their Union. There is no dichotomy between organizing new workers and winning strong contracts - the two compliment each other.

I could go on and on about my experiences. I can't say I agree with everything I heard in San Jose, but I did feel I was a participant with a voice, not a mere observer to decisions that had already been made.

What I learned is that there are two types of SEIU conferences. One kind of conference is of the members, for the members, by the members. The other is by the members, of the staff, for the leaders. Andy Stern is good at hosting the latter. UHW-W is pretty good at hosting the former.

Letters!

Dear SMART,

Along with childcare and domestic cleaning, homecare became a paying job when the extended family broke down. Most families now need to have at least two members working outside the home to survive. Having only recently been organized into unions, some Homecare Workers are now paid for their work, albeit very low wages and benefits. But organizing Homecare Workers has been a time consuming process due to having no common worksite.

The process got started when SEIU supported Gray Davis as governor of California. Davis returned the favor by instituting the In-Home Support Service program (IHSS) for the poor, disabled and elderly. Now Homecare Workers have an "Employer of Record". This "employer" varies county by county; either a Public Authority or a county Board of Supervisors. This is the body that negotiates with the Homecare union for a union contract.

In California there have been several unions that organize Homecare workers. The Los Angeles-based United Domestic Workers (UDW), started by Ron Karenga's wife, later affiliated with American Federation of State County and Municipal Employees (AFSCME). SEIU was also organizing Homecare, spreading out from their base in nursing home and hospital locals. At one point there was a big turf war between AFSCME and SEIU, wasting incredible amounts of money and energy, and not benefiting workers on either side.

2006 was a time of the forced SEIU mergers in which California county, city, and other health workers were divided into four

big Locals divided roughly along geographic lines. But the Homecare Workers were divided among five turfs; the largest being United Long-Term Care Workers (ULTCW) with Tyrone Freeman as the appointed leader. Unlike the geographic-based public sector Locals, Homecare workers were often not in the same Local as other Homecare Workers closest to them in nearby counties. The other Homecare locals were the UDW, the California United Healthcare Workers (CUHW), UHW-W and Local 521.

The best organized locals were the UHW-W and 521. Two of the wealthier counties were organized by these locals and as a result, 521 and UHW-W had superior contracts to the rest, with LA being the largest and the lowest paid.

Tyrone Freeman ran the ULTCW like a cult (extremely top-down) and was also appointed head of the CUHW. Homecare organizers were spread thin (such as one staffer for three counties) and replaced by barely functioning Call Centers.

Stern's strategy of partnership with the bosses in order to get new dues payers by-any-means-necessary led to an important precedent-setting contract with California Nursing Homes. Signed in 2004 by 18 Nursing Home corporations and 4 SEIU leaders (Andy Stern, Mary Grillo, Sal Rosselli, and Tyrone Freeman), the details of the contract were not made available to the members. But after a while it became clear that the secret contract took away the rights of both patients and workers in order to assure more dues into the pockets of the union bureaucrats! First the patients rights groups, with the

American Disabled for Attendant Programs Today (ADAPT) being in the forefront, mobilized against the sell-out, and later Sal Rosselli spoke out against its renewal, incurring the wrath of Stern and associates.

So, as of today, the International has been forced to put Local 6434 into trusteeship and file charges against Freeman due to his unchecked "financial malfeasance."

On top of all this, because of the budget compromise in Sacramento, the IHSS Program will suffer 10% cuts in administration, causing increases in social worker caseloads, which will slow down service. Plus many programs for the disabled are now defunct, such as transportation to school for the poor and disabled youth. The disability movement, particularly California Disability Community Action Network (CDCAN), is organizing demonstrations in Sacramento and Los Angeles, with token support from Local 6434.

The SEIU hearing in San Mateo will be a turning point for those who believe in "bottoms up" democratic unions vs union bureaucracy as usual!

We must unite and fight!

—Barri Boone, Homecare Worker in SEIU 6434

Dear SMART,

Congratulations to the 1199SEIU strikers at the Kingsbridge Nursing Home who showed that good old-fashioned labor solidarity is alive and well in Bronx, NY. They won a major victory on August 21st when, after a six month strike, millionaire owner Helen Seiger was ordered by a Federal judge to reinstate the workers and reinstate their health benefits.

In this era of labor management partnership deals, we are sometimes told that labor militancy is a thing of the past, that workers are not willing to fight in the ways they did in by-

gone eras. Kingsbridge shows otherwise. First the solidarity shown to the strikers was overwhelming. Signs supporting the strikers were seen on lawns throughout the neighborhood. Nursing home workers and other 1199ers, knowing that their own health care benefits could be next, came in the thousands to a mass rallies in support of Kingsbridge workers against their ruthless employer.

But most inspiring was the picket line itself where members united across race, gender and national lines to fight for their medical benefits. For six months and three seasons, the picket lines were loud and spirited, with workers making up their own songs and chants (with lyrics like "You better run, Helen, run. The union's after you," and "The union is a lion and the lion will devour you"). When striker Audrey Smith Campbell, cut off from her medical benefits, died of an asthma attack, the workers pulled together to fight in Audrey's memory. I earned a new appreciation for the lyrics of old labor song "Solidarity Forever" hearing it come from the lips of these women and men who were standing together to fight for their very livelihoods.

The Kingsbridge strikers are an inspiration to us all.

—Lucy Herschel, Delegate, 1199SEIU United Healthcare Workers East

Dear Mr. Stern,

I know you've been receiving a lot of "open letters" recently, but I've been a member for almost 29 years, and I've never written one. I figure this might be my last chance before retirement to speak my mind to you Mr. President, so let's do this.

First of all, let me make it clear that I am not from UHW nor have I been appointed as a cheerleader. I'm not really in to that "appointed leader" shtick. But anyway, dude, what is your

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Write a Letter!

Have a letter you would like to write to the SMART Newsletter? Problems in your local? Questions? Concerns? Disagreements?

Write an e-mail to info@reformseiu.org!

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problem? I thought the whole idea of a union was to empower workers to take charge of their lives (as workers), to improve wages and working conditions, and to turn the power of our numbers into a force for progressive change. That is the eternal struggle of the working class in an economic system that exploits the weak and the unorganized for the benefit of big corporations and the rich. If we succeed in these tasks, workers will join unions, unions will become more powerful, and maybe we can change the world. It's like the voice that speaks to Kevin Costner in that movie – "If you build it, they will come." But it has to be built the right way.

United Healthcare West (UHW) has been a shining example of what successful trade unionism is all about. UHW has met or exceeded SEIU goals for organizing new members, and political action; and oh, on the side they managed to bargain some of the best contract in their industries. They turned out 6000 members to protest that "hearing" in Manhattan Beach. The one where the International was telling the members "what's best for them". Is it any wonder that a member driven union would fight back against the compromising of their standards and the right to determine their own destiny? We should have 1000 UHWs. Then we would have some real power.

And what is their reward for being so successful and making themselves stronger? Another hearing to put them into trusteeship? Let's be real about this. Everybody knows that this is authoritarian bullshit from the International. It's a recycling of previous charges that were dismissed by a federal judge, but now we have a hearing officer instead of a judge and a kangaroo court instead of a real one. Is this "justice for all?" I don't think so.

But seriously, the strength of labor comes from the rank and file, not from the leaders. Compromising the standards of contracts, organizing, and democracy just to get bigger is

the wrong means to the end, and in the end, it doesn't get you to the end where you really want to be, so why go there in the first place? Do you get what I mean?

And another thing - I dare you to accept the challenge from S.M.A.R.T. and debate rank and file members on the trusteeship and union democracy. And another thing, don't make me come out there.

Solidarity forever, with you Mr. Stern, and all my union brothers and sisters,

—Jonathan Meade, Paramedic Chapter President, SEIU 1021

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- *We elected roughly half (about 30) of Local 1000's delegates to the 2008 International Convention in Puerto Rico. Our reform delegates partnered with SMART and dared to express a real opinion at the convention.*
- *We elected several DLC Presidents who sit on Local 1000's Executive Board (known in Local 1000 as the "Council").*

Our reform movement is still on the march and we are gearing up for our next round of internal union elections as we prepare for our 2009 General Council and looking forward to working with SMART to build a real rank-and-file reform movement within SEIU.

For more information about CSEUnited, please visit: www.CSEUNITED.org

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law.

It was a clever move for Stern to hire a "nationally respected labor expert and former U.S. Secretary of Labor" to preside over what UHW members are calling a "kangaroo court." Marshall's "hearing officer" gig reflects

Stern's unprecedented need for liberal cover. What better luminary to tap than a "professor emeritus" at the Lyndon B. Johnson School of Public Affairs, when you're wading ever deeper into the "Big Muddy" of trying to occupy sixteen UHW offices, seize \$90 million a year in local union dues money, oust hundreds of elected leaders and field staff, plus disarm any non-cooperating members (of whom there will be many).

This is the first time that a prominent outsider has been enlisted to facilitate such a take-over. Used again and again, Stern's trusteeship powers have demonstrated the limits of union democracy protections under the Labor-Management Reporting and Disclosure Act (LMRDA), a federal law that Marshall was once charged with enforcing (more on that below). Since Stern became president twelve years ago, SEIU has dispensed with elected local union officers (replacing them with appointed trustees or "interim presidents") in more than 80 affiliates. Percentage-wise (and in absolute numbers), Stern's trusteeship stats put him in a league of his own in organized labor.

Initially, SEIU's local union take-overs and make-overs (aka "purging and merging") were lauded by labor activists and academics for getting rid of "old guard" fiefdoms and giving the union "new strength and unity." Trusteeships have also been praised for installing a younger, more diverse officialdom (often recruited from outside SEIU) which has helped make the union North America's second largest. More recently, the applause for Stern's top-down restructuring of SEIU has been less rousing. That's because trusteeships have now become a tool for consolidating Stern's personal power, stifling dissent, negotiating substandard contracts, and creating an atmosphere of fear and intimidation that's most unhealthy, even if your union is diverse and fast-growing. As SEIU's own former education director Bill Fletcher predicted on Democracy Now Sept.19, any trusteeship over UHW will be actively resisted by its working members, creating a situation

that's "going to be absolutely horrible." (SEIU headquarters staffer Bill Ragan seems to agree; in a just-leaked June memo to UHW occupation planner Stephen Lerner and others, Ragan acknowledged that a take-over would be "difficult," much "like Iraq, easy to get in...and then a slog.")

Three thousand miles away from San Mateo, another retiree (better informed about SEIU than Ray Marshall) wishes that he could be at the UHW hearing to support Sal Rosselli. John Templeton is a feisty former social worker for the Massachusetts Department of Social Services. He served for ten years as president of Boston-based SEIU Local 509, an organization highly-regarded for its progressive activism, just as UHW is in the Bay Area. Templeton wasn't president continuously because 509 limits both its top officer and chapter leaders to serving two consecutive terms, followed by at least a one-year break, a policy rare in SEIU but one that Templeton advocated as a rank-and-file member; the local's constitution also limits top officer pay to the salary of the highest paid rank-and-file member. (Before he retired, Templeton made about \$65,000 a year.)

Local 509 was a champion of Stern's "New Strength and Unity Plan" when it was first adopted in 2000. As part of a complicated 2003 re-alignment of SEIU affiliates in Massachusetts, Templeton's local even loyally accepted the ill-advised transfer of 1,500 newly-recruited members from 509 to another local (which treated them so badly at U-Mass that they eventually left SEIU to join the Massachusetts Teachers Association). To this day, Templeton doesn't want "to sound completely negative" about the national union because "I really like the way they've organized janitors...and I think the progress they've made with organizing, especially low-paid workers, is marvelous."

By 2004, however, Templeton was beginning to have doubts about giving "Stern more power to reorganize and trustee locals." Previously, he recalls, "there had to be corruption, malfeasance or
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(continued from page 7, "Purple Dissent") undemocratic activity but, after New Strength Unity, they could trustee for almost any reason." To curb this trend, Templeton came to SEIU's national convention in San Francisco four years ago well-prepared. He announced that he was running against Stern for president so he could send out a letter to fellow delegates urging their support for a series of amendments to reform the union's constitution. Among the changes sought by Templeton—and successfully blocked by Stern—were the following (that would have promoted more democratic practices in SEIU):

- "SEIU shall establish clear and consistent guidelines for placing local unions under trusteeship. Trusteeships shall be used only as a last resort in the case of corruption or serious malfeasances and never for political reasons.
- SEIU shall encourage the process where rank-and-file members are encouraged to run for top leadership positions.
- SEIU shall not interfere in local elections by arranging for trustees, interim appointed officers, staff or any other persons not currently or recently employed within the local's jurisdiction to run for local offices.
- Any provisional local officer shall serve in that capacity for no more than one year, and shall not be eligible to run for office unless that person is a member by virtue of being currently or recently employed within the bargaining unit jurisdiction of the local."

In the context of SEIU politics today, Templeton was what you might call a "premature anti-fascist" (ie a kindred soul of earlier American radicals who paid a high price for resisting, in the late 1930s, the overthrow of the Spanish Republic because they didn't need World War II to alert them to the dangers of dictatorial rule). Even if that historical comparison seems a bit overdrawn (yes, we know that Andy Stern is not Hitler or Mussolini), the little-known story of Local 509's near-death experience, which followed Templeton's 2004 convention

dissent, pre-figures the far worse ordeal of UHW today.

Like UHW, after its challenge to Stern at this year's SEIU convention, Local 509 soon found its own autonomy threatened. Stern dispatched a key operative to Boston, Tom Balanoff from Chicago, to hold "jurisdictional hearings" on whether Templeton's 10,000 members would be better off without their own local. According to former 509 organizer Ferd Wulkan, it was clear during this hearing process that even though the social workers union, like UHW, "did almost everything SEIU asked (e.g. large-scale organizing campaigns, political mobilizations, sending volunteers to other campaigns), the International deeply resented its democratic traditions."

Stern's preferred repository for the social workers was a 45,000-member organizational oddity called the National Association of Government Employees (NAGE), a former independent union now operating in more than 40 states as SEIU Local 5000. Not surprisingly, the president of NAGE, David Holway, is the product of a Stern trusteeship, plus Massachusetts Democratic politics (not a promising combination). In his previous incarnations, Holway was a Beacon Hill lobbyist and top aide to Charles Flaherty (better known locally as "Good Time Charlie") who lost his job as speaker of the Massachusetts House of Representatives due to a little problem with the IRS involving unpaid taxes.

Holway has plenty of income to report himself (plus homes in Cambridge and Martha's Vineyard). As Boston Globe columnist Steve Bailey reported three years ago, "Holway makes \$229,455 as president of NAGE and another \$10,692 for sitting on the SEIU executive board, or \$240,147 in all"—for total compensation even larger than Stern's own. And that doesn't include Holway's outside income stream, which included, for several years after he took over Local 5000, annual payments of \$100,000 a year or more from the Massachusetts Thoroughbred Breeders Association, a race track lobbying group that simultaneously employed him as "executive director."

Like UHW long term care workers who wanted nothing to do with any local headed by the now-fallen Los Angelean, Tryone Freeman (see CounterPunch, Sept. 3, 2008), Local 509ers strongly resisted being absorbed into Holway's fiefdom. Ultimately, they were successful (aided in part by the local's anti-merger mobilization and all the negative publicity Holway was getting in *The Globe*.) Yet 509's survival as a stand-alone local came at a price.

The post-Templeton administration at 509 (which includes several long-time labor lefties) absorbed the lesson that provoking Stern doesn't pay. They noticed that indigenous leadership of other major Boston-based SEIU affiliates was rapidly disappearing. Like NAGE, the other three leading "locals" all emerged from trusteeships or mergers with ex-staffers in charge, who owed their jobs to Stern, his second-in-command, Anna Burger, or Dennis Rivera, director of SEIU's health care division.) So, at this year's SEIU convention in Puerto Rico, the 509 delegation kept its head down (and a safe distance from Rosselli's local) to avoid incurring the same official wrath that Templeton attracted after the previous convention.

Ironically, that's the same way Ray Marshall went along to get along (with the labor establishment) during his four years as chief enforcer of laws designed to protect workers' pensions and their union rights. During the late 1970s, Marshall was responsible for one major mitzvah. Following an avalanche of bad publicity, the DOL did impose federal oversight over the Teamsters Central States Pension Fund, then a piggy-bank for the mob. On lower-profile issues related to the LMRDA, Marshall was much less pro-active. For example, out of deference to the traditional constituency of Labor Secretaries in Democratic administrations (in the pre-Clinton era), he rejected rank-and-file pleas that unions should be required to send every member a copy of their constitution, by-laws, and annual financial statement.

Like every DOL secretary since 1959, Marshall also watched on the sidelines as union dissi-

dents struggled to overcome the LMRDA's unfortunate Title III limitation that, once a trusteeship is imposed—even for the purposes of political retaliation—the take-over "shall be presumed to be lawful for a period of 18 months." (In SEIU, thanks to the combined use of trusteeships, local mergers, and/or forced membership transfers, some Boston-area rank-and-filers have been deprived of the right to vote for local union officers for as long as five years.)

Now Marshall is charged with making a recommendation to Stern and the SEIU executive board, later this Fall, about the fate of membership voting rights in UHW. It remains to be seen whether he's willing to distinguish between real corruption, which does indeed require a cleansing trusteeship in some unions, and disagreements over union policy which should be resolved, politically, through debate, discussion, or even third-party facilitated negotiation (imagine that in a labor union!).

The right of members—to disagree with union leaders—to speak out for or against their ideas and actions, free of retaliation—is more strongly embedded in Title I of the LMRDA. That's why UHW members have now filed suit against Stern under this section of the law, as part of their take-over defense. Before he leaves San Mateo, Marshall would do well to read the plaintiffs' full complaint, filed in federal court Sept. 17. It documents Stern's "relentless, pervasive, and unprecedented campaign to target, retaliate against, discredit, and hobble his principle critic, United Healthcare Workers." As the lawsuit alleges, the "unmistakable message" behind such activity is one already received elsewhere in SEIU: "Cross me, and you, too, will suffer similar reprisals."

Steve Early is a Boston-based labor journalist. He's been involved with union reform efforts since 1972, as an organizer, lawyer, labor educator or journalist. He can be reached at Lsupport@aol.com. This article originally appeared on CounterPunch.org.