

The National Labor Environment and Why You Should Care

Constituent Assembly Panel Presentation

November 1, 2008

Facilitator

Judy Huntington, RN, MN

WSNA Executive Director

Introduction of Panel

- Giny Harshey-Meade, MSN, RN, CNAA, BC , Ohio Nurses Association
- Tina Gerardi, MS, RN, CAE, New York State Nurses Association
- Joyce Benjamin, MSN, RN, Arizona Nurses Association
- Susan Sportsman, PhD, RN, Texas Nurses Association

An Environmental Scan of Unions in the U.S. Today

Why Do Trade Unions Continue to Target Health Care?

- Union membership has shrunk in other industriesand only 8% of America's private sector is unionized

However in Health Care:

- 17% of hospital workers are unionized
- 21% of all in RNs are organized
- In the last 20 years, the # of RNs covered by union contracts has grown 80% a gain of more than 240,000 union members

The Prominent Players Today

- Service Employees International Union (SEIU), membership is estimated at 2.0 million members in the United States, Canada, and Puerto Rico. Headed by Andy Stern.
- 1 million members are in the new Healthcare division, SEIU Healthcare, headed by Dennis Rivera and represents all types of healthcare workers , of which approximately 85,000 are RNs & LPNs
- SEIU is part of the Change-to-Win Coalition, and not part of the AFL-CIO
- California Nurses Association/National Nurses Organizing Committee (CNA/NNOC). Headed by Rose Ann DeMoro. The CNA claim to represent 80,000 RNs.
- CNA is a member of the AFL-CIO

Change to Win, formed in 2005, consists of seven previously AFL-CIO affiliated unions

- **International Brotherhood of Teamsters (IBT)**
- **Laborers' International Union of North America (LIUNA)**
- **Service Employees International Union (SEIU)**
- **United Brotherhood of Carpenters and Joiners of America (UBC)**
- **United Farm Workers of America (UFW)**
- **United Food and Commercial Workers International Union (UFCW)**
- **UNITE HERE**

The Prominent Players Today

RNs Working Together -- the Nurse Industry Coordinating Committee, AFL-CIO

- American Federation of State, County, and Municipal Employees (AFSCME)
- American Federation of Government Employees (AFGE)
- American Federation of Teachers (AFT)
- California Nurses Association (CNA)
- Communications Workers of America (CWA)
- International Association of Machinists and Aerospace Workers
- International Federation of Professional and Technical Employees
- Office and Professional Employees International Union (OPEIU)
- International Union of Operating Engineers
- United American Nurses (UAN)
- United Auto Workers (UAW) and
- United Steelworkers

The Prominent Players Today

- The United American Nurses (UAN) is affiliated with the AFL-CIO, since the 8 states disaffiliated, they represent now approximately 45,000 RNs.
- UAN is a member of the AFL-CIO
- The 8 disaffiliated State Nurses Associations (SNAs) want to remain members of the AFL-CIO – together these SNAs represent more than 68,000 RNs.
- Massachusetts Nurses Association represents 23,000 RNS and is not affiliated with ANA or the AFL-CIO

What's Happening Now?

SEIU

- SEIU is the fastest growing healthcare union in the country – some say by making deals with management and unfulfilled promises to members
- RNs are a only a small part of the total health care workers in SEIU – SEIU prefers “wall-to-wall” bargaining units rather than RN specific units
- SEIU is being challenged from within it's own membership for not being democratic, a top-down staff run, membership at any cost union - Challenge is led by the leadership of UHW in California
- Dissent from within however is met with swift and strong retaliation
- Andy Stern is attempting to place Sal Rosselli and SEIU United Healthcare Workers West (UHW) – the 3rd largest local in SEIU with 150,000 members – in Trusteeship
- SEIU is now facing major investigation for possible violations of Federal laws for how it is funding its political campaigns as well as accusations of internal fraud and corruption in at least two of their largest local unions

What's Happening Now?

The CNA & SEIU War

- CNA disrupted SEIU's attempt to organize 9 Catholic Health System Hospitals in OH when management, not the union, filed for the election.
- SEIU (Andy Stern) declared war on CNA and Rose Ann DeMoro, CNA Executive Director
- DeMoro was scheduled to speak at the Labor Notes convention in Michigan – SEIU buses in hundreds of protestors for a “peaceful” demonstration – then pushing and shoving occurs – attendees are injured and an SEIU protester dies of a heart attack in the parking lot --Union groups are outraged at the violence
- SEIU sends organizers to California to harass CNA Board members at their homes and workplace in continued retaliation for OH.

What's Happening Now?

CNA & SEIU

- CNA and SEIU are now attacking each other publicly and through mass mailings of flyers, e-mails, blogs, Youtube messages, lawsuits, dueling websites and temporary restraining orders.
- CNA is raiding SEIU in Nevada; SEIU is raiding CNA in CA
- SEIU-NY began raids on NYSNA units in NY because NYSNA posted a message in support of CNA in Ohio on the NYSNA website. NYSNA has lost one unit so far (due to misleading promises by SEIU about double pensions)
- SEIU leadership in KY-OH-WV-MO has threatened Ohio Nurses Association and told them to stop organizing and get out of the OH Catholic Hospitals – SEIU wants ONA to agree give up its organizing rights there for six years – or else!

What's led to the current Battles and what's next

- It's a question of who will represent RNs throughout the nation and whether they will be represented in all-RN units or in wall-to-wall units in traditional industrial trade unions, where RNs are a minority.
- Battle of top-down, staff-driven unions vs. democratic, member-driven unions
- The CNA-SEIU war is shaping up to be the biggest battle of big labor since the 80s and possibly the 1930s

What's led to the current Battles and what's next

- SEIU is promising employers labor peace, wage and other concessions for the recognition and right to organize -- growth at any cost
- CNA is now also doing massive mailings nationally – recently mailed to all RNs in at least 23 states, in some cases using the Freedom of Information Act to get Board of Nursing mailing lists
- Both CNA and SEIU are conducting national organizing under the guise of either their national health care campaigns or their staffing ratios campaigns – they are both sending massive mailings to RNs in all states all across the country

Why you should be concerned

- No one wins in a labor war – not the unions, not the workers, not the employers and certainly NOT the patients
- Watch carefully the tactics and methods that each union uses as they fight each other – this will give you a good idea of what you can expect when they ultimately disagree with you!
- Political Clout -- The biggest unions are bankrolling political campaigns all across the country to “buy” legislative influence and favor. Watch how much is spent on local legislative and governor races – even County races – expenditures will be huge both directly to campaigns and indirectly through “independent” PACs.
- SEIU says it will spend \$150 million on federal, state and local elections this year & \$10 million to hold politicians “accountable” after the elections
- The labor battle between CNA and SEIU so far is just the tip of the iceberg – Employers and Employees will have to decide which unions have integrity and are professional in their dealings and then decide with whom they should partner

An Environmental Scan of Unions in the U.S. Today

- Ohio events
- NYSNA raids by SEIU
- Arizona Experience
- Texas Experience
- Impact on nurses, our practice and the profession of nursing

A Cautionary Fable: The Scorpion and the Alligator

A scorpion, being a very poor swimmer, asked an alligator to carry him on his back across a river.

"Are you crazy?" exclaimed the alligator. "You'll sting me while I'm swimming and I'll drown."

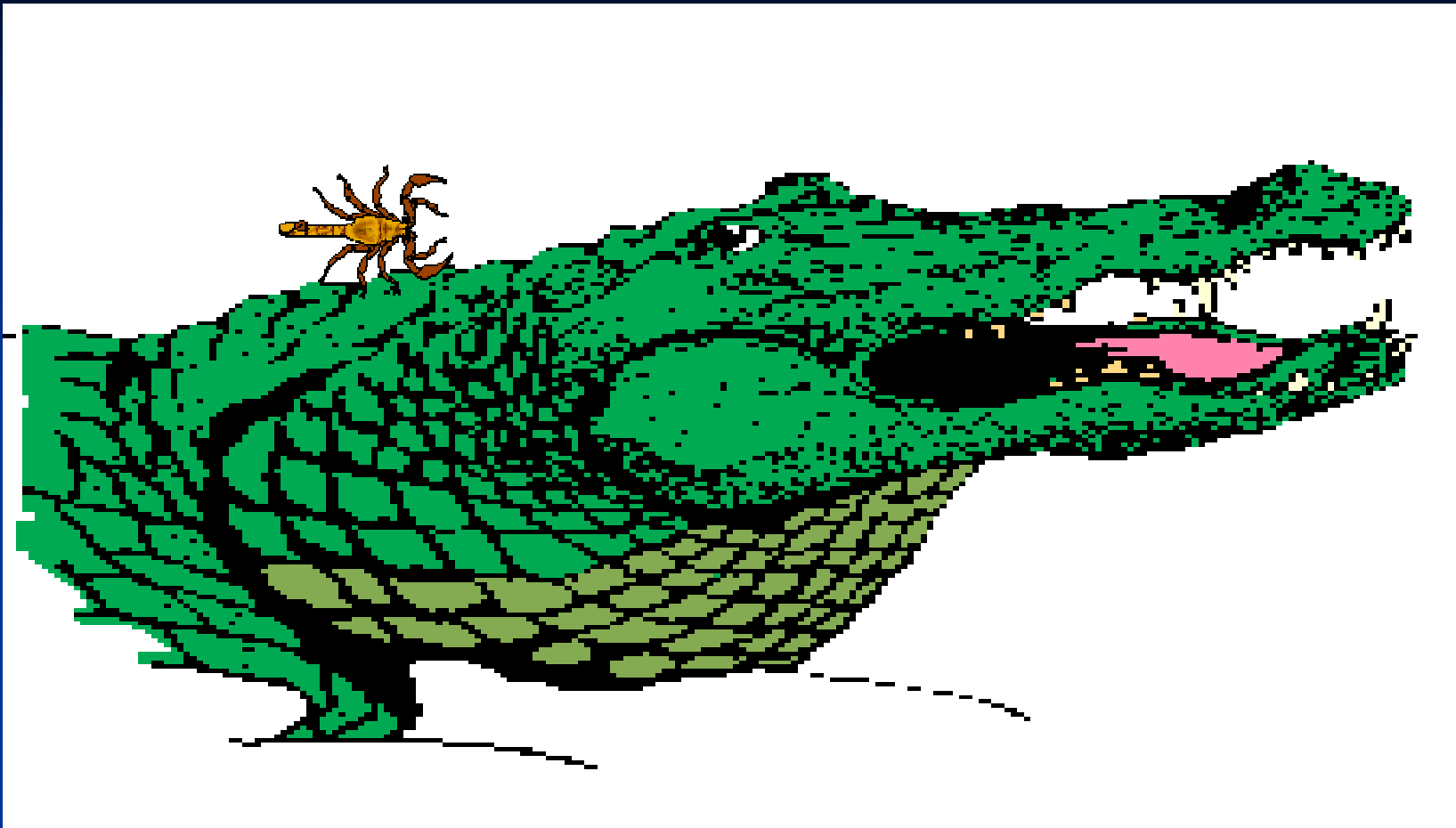
"My dear alligator," laughed the scorpion, "if I were to sting you, you would drown and I would go down with you. Now where is the logic in that?"

"You're right!" cried the alligator. "Hop on!" The scorpion climbed aboard and halfway across the river gave the alligator a mighty sting. As they both sank to the bottom, the alligator resignedly said:

"Do you mind if I ask you something?"

You said there'd be no logic in your stinging me. Why did you do it?"

"It has nothing to do with logic," the drowning scorpion sadly replied. "It's just my nature and my character."



Why did you sting me???? Now we will both drown!

Because it's in my Nature!!!

Discussion and Questions

A Final Observation

Raids and union wars are “sentinel events” caused by multiple factors and system failures resulting in a “perfect storm” – if we apply a “root cause analysis” approach we are more likely to prevent them or to prevail in the future.....

“We can’t solve problems using the same thinking we used to create them”

-- Albert Einstein