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New Salvo Fired as Unions Battle Over Workers

By [KRIS MAHER](#)

As labor leaders fight to sign up 10,000 health-care workers, a California-based union is charging the Service Employees International Union with changing ballots and threatening to report a worker to immigration officials.

The allegations are the latest twist in a contentious battle to represent workers in the rapidly growing sector of home health care. Labor experts say the feud is a costly and embarrassing distraction for unions as they lobby Congress to pass legislation that would ease organizing rules in their favor.

The SEIU and the National Union of Healthcare Workers, or NUHW, have been sparring for the right to represent 10,000 home health-care workers in Fresno, Calif. An election earlier this year gave the SEIU the victory, but the NUHW is asking that election be invalidated and a new one ordered because of what it says is new evidence of intimidation.

The NUHW filed charges Nov. 6 with the California Public Employment Relations Board, which oversees the election. Included in the charges are statements from a former SEIU organizer, who said that he was encouraged "to pressure voters to change the ballot" and that on one occasion he himself changed a vote to SEIU's favor.

The charges also contain statements from workers who said SEIU representatives came to their house as many as five times a day, pressuring them to vote for the SEIU. In one instance, a woman said she was questioned about her legal status. Others were told they would lose wages and benefits if they voted for the NUHW.

Steve Trossman, a spokesman for the California SEIU local, which is called United Healthcare Workers-West, dismissed the charges as "absolutely false" and said the NUHW filed other charges this summer that were dismissed. "It's just sour-grapes charges that you file when you lose an election," he said. Mr. Trossman said SEIU organizers were never instructed to "do anything that would violate the law or the rules of the election." He said both unions were knocking on doors and encouraging people to vote. An SEIU spokeswoman in

Washington declined to comment on the California dispute, referring questions to the local union.

A representative for the Public Employment Relations Board couldn't be reached Wednesday for comment.

The allegations of union intimidation come as organized labor is seeking to make the case in Washington that employers are unfairly pressuring workers in unionization votes. Congress is considering a bill, the Employee Free Choice Act or card-check bill, that would ease organizing rules. The bill, which is stalled in the Senate, allows unions to organize workers by getting them to sign cards, often without an employer's knowledge. Currently, an employer must approve a card-check method, or a secret-ballot election must be held.

Organized labor has argued that the card-check option is critical because businesses intimidate workers to vote against unions. Employers say that card-check campaigns create more opportunity for intimidation by unions and don't give employers a chance to make their case.

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