

Rival union accuses SEIU of election pressure

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By Brad Branan / The Fresno Bee

A competing union has accused the Service Employees International Union of changing ballots and threatening to report workers to immigration officials in a contentious battle to represent more than 10,000 home health-care workers in Fresno County.

The National Union of Healthcare Workers filed charges Nov. 6 with the California Public Employment Relations Board.

SEIU's United Health Care Workers-West narrowly defeated NUHW in a June election, winning the right to represent workers in the county's In-Home Supportive Services program. NUHW wants the board to throw out the victory.

"SEIU not only tolerated but encouraged people to break the law, intimidate people and harass people," said Sal Roselli, NUHW president.

But United Health Care Workers-West spokesman Steve Trossman said the charges against the union are without merit, and were made by a union still disgruntled over its election loss. He also criticized NUHW for forcing workers to endure a long complaint process.

The case could take one to two years to complete, if it's pursued all the way to the Public Employment Relations Board, said Les Chisholm of the board's general counsel's office.

Board agents and attorneys review cases before deciding whether to submit them to an administrative law judge. The board only hears appeals of a judge's ruling.

In a telephone interview, former SEIU employee Carlos Martinez said that he changed the ballots of health-care workers after pressuring them to vote for SEIU. He said he was told to change the ballots by SEIU superiors.

In written statements sent to the Public Employment Relations Board, IHSS employees said the SEIU pressured them to change their votes and then marked their ballots to reflect the change.

The SEIU pressured workers by telling them they would lose their jobs, wages and benefits if they voted for the NUHW, Martinez said. They were also told, if they were illegal immigrants, that the NUHW wouldn't protect them from deportation like the SEIU had, he said.

According to the complaint filed with the board, IHSS worker Patricia Barbosa Rodriguez said an SEIU representative asked her whether she were in the country legally, and "if not, immigration might find out and I could be deported."

Union spokesman Trossman said SEIU workers were specifically trained not to touch ballots and did not make threats about immigration or other issues.

He also said Martinez only decided to make complaints after he was told he would not receive full-time employment with the union.

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