

## LABOR

### **SEIU borrows business' anti-union tactics to fend off a rival**

*The Service Employees International Union alleges that the upstart National Union of Healthcare Workers is intimidating and misleading workers.*

June 24, 2009|Paul Pringle

For years, the powerful Service Employees International Union has played a lead role in the campaign for a landmark federal law that would allow workers to join a labor organization simply by signing petitions.

Now, as part of a high-stakes battle in California, the union is urging federal officials to throw out petitions signed by tens of thousands of its own members who have asked to be represented by a rival upstart group.

The David-vs.-Goliath face-off pits the SEIU, its \$300-million annual budget and its legions of staffers, lobbyists and lawyers against a band of about 150 insurgents who are either volunteers or being paid from donations. Most have defected from the SEIU's 2-million-strong ranks.

In lodging legal challenges to the roughly 80 petitions filed by its fledgling competitor, the SEIU has moved to block organizing elections at hospitals, clinics and nursing homes up and down the state. And it has used some of the same tactics that employers often use to thwart union drives.

One of the giant union's allegations echoes a key argument that corporate interests make against the proposed law, the Employee Free Choice Act: that labor activists can intimidate or mislead workers during organizing campaigns.

"The SEIU is advocating free choice for every employee in the United States, unless you're an SEIU member," said John Borsos, an interim vice president of the National Union of Healthcare Workers, which says it has enough signatures to represent nearly 100,000 employees. "The only reason the SEIU doesn't want elections is that they know they would lose."

SEIU President Andy Stern said his union has a legal responsibility to object to the elections because it believes the leaders of the new group have violated labor laws. He accused them of stalling wage-and-benefit negotiations with employers to keep contracts open and leave the SEIU vulnerable to membership raids.

Stern said his union's actions have not undermined its position on the free choice act.

"There is a policy question and there's a legal question," he said in an interview. "This is a legal proceeding. . . . Ultimately there will be a vote."

The SEIU has turned for help to an agency that it has frequently scorned and whose ways the free choice act aims to reform: the National Labor Relations Board. The union has filed a welter of unfair-practice charges with the board, alleging in part that the new group has restrained and coerced workers in plotting to launch the breakaway organization.