With God on Our Side

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The union’s cultural strategy in the St. Joseph Health System campaign relied on a rare collaboration between the international office of SEIU and the United Healthcare Workers West (SEIU-UHW) local. At the national level, union representatives forged a common language and common ideology with Catholic hospital representatives that manifested itself in the publication of the working paper *A Fair and Just Workplace* in 1999. In 2009 this position was formalized with the publication of *Respecting the Just Rights of Workers: Guidance and Options for Catholic Health Care and Unions*. In this national conversation union and Catholic hospital leaders recognized that they had much in common, from a concern for the uninsured to an interest in an overhaul of the healthcare system. And at an abstract level, they agreed on principles that should guide union organizing and union representation in Catholic hospitals.

At the local level, the St. Joseph Health System campaign ensured that national negotiations occurred from a position of strength rather than weakness, grounding the national roundtable’s abstract principles in
concrete gains for workers. Without the national roundtable, SJHS would have been under less pressure to frame its position in relationship to Catholic social teaching. Without local contestation, they would have had less incentive to get to national agreement, and no accountability to the common principles agreed upon at the national roundtable. Perhaps most important of all, the stories and experiences of St. Joseph Health System workers helped the national union’s broader theological arguments resonate.

Ross and Purcell were bridges between the local and the international. Although officially on the staff of the international union, they worked intensely on the St. Joseph Health System campaign. Ross led the SJHS campaign with the SEIU-UHW organizing director, Glenn Goldstein. Eileen split her time between St. Joseph Health System and other national Catholic hospital campaigns. Together, Ross and Purcell helped to bridge the philosophical and strategic differences between the international and local, by helping the local to see the importance of the national discussions, and by helping the international to see the importance of local struggle. And for both the local and the international, the strategy at SJHS required something of a leap of faith. According to Eileen, “Ordinarily a union wouldn’t invest these kinds of resources in a multiyear relationship-oriented organizing campaign.” But between 2006 and 2009 the local and the international had worked together, and the work was finally beginning to pay off. With the local’s commitment to workers and the international’s broader resources and relationships, the campaign was able to “shine the spotlight on injustice,” as Ross described it, “lifting up the disconnect, the contradictions.”

At the very moment of greatest hope for the St. Joseph Health System campaign, however, the partnership between the international and the local collapsed. There had always been tensions between the organizations, differences in philosophy that were exacerbated by differences in the personalities of the organizations’ charismatic leaders, SEIU president Andy Stern and United Healthcare Workers West president Sal Rosselli. But on the morning of January 27, 2009, the international union put the local in trusteeship, firing its leadership. Within a week, almost all local staff members would be terminated; the locks on UHW headquarters would be changed; and the struggle to organize Santa Rosa Memorial Hospital would again be postponed. Ross and Purcell would leave SEIU later that same year. Even if workers could have gone ahead with an election at
Memorial, SJHS’s primary critique of unions in general—that they were adversarial organizations more concerned with their own perpetuation than with the workers they purported to serve—had a new Exhibit A. If the Sisters of St. Joseph of Orange were unaccountable to their workers, could any union do better?

In this chapter, I examine the conflict between UHW and the international union. Practically, I explore how the trusteeship undermined the St. Joseph Health System campaign, yet simultaneously provided new opportunities for growth and leadership among workers in Santa Rosa. Theoretically, I explore the different visions of unionism represented by the two sides in the conflict, visions that map onto an ongoing debate within labor scholarship between “top-down” and “bottom-up” unionism. For the local union, the international leadership was seen as a cadre of corrupt elites who sacrificed members’ well-being for their own economic and political ends. For the international, local leaders were obstructionist, parochial renegades, manipulating and swindling their members while interfering with the national program.

Yet beneath the vitriol, real questions for the labor movement surfaced. The polarization between the local and the international overshadowed what was in fact a healthy debate about the purposes and possibilities of labor unions—one that runs deeper than the rhetoric of either side. In this chapter, moreover, I suggest that the two visions represented in the conflict were not mutually exclusive; indeed, a successful labor movement likely requires their convergence.

**Collateral Damage**

SEIU’s international office in Oakland was on the seventh floor of a high-rise near the Oakland Airport. On the wall by the front doors of the office, framed portraits of Andy Stern, Mary Kay Henry, and other international executives formed a pyramid. From the large windows in the meeting room one could make out the Port of Oakland and, in the distance, downtown Oakland. But the most noticeable feature of the office was its silence. I had grown accustomed to the chaos of the local, where the parking lot was always overflowing and the hum of conversation inescapable. At the international office almost no one was ever around.
On Monday, January 26, 2009, the international office was even quieter than usual. International staff, whose ranks were swollen with reinforcements from around the country, had taken up residence at larger offices in nearby Alameda to plan the takeover, or trusteeship, of the local, United Healthcare Workers West. Many of those at the local, meanwhile, were camping out day and night in their headquarters to stave off international intruders. Behind closed doors, Ross and Purcell led a small meeting to discuss whether it would be possible to continue the St. Joseph Health System campaign in the face of the trusteeship. The meeting was a UFW reunion of sorts—Ross and Purcell had invited Chris Hartmire to attend and Jerry Cohen called in by phone. The UFW alumni gave the meeting a certain poignancy. The gathered group all remembered the purges and estrangement that debilitated the UFW from within. 1 So much had been lost from internecine wrangling. And so much was now at stake. International staff had suggested to Ross and Purcell that the St. Joseph campaign might be “collateral damage,” a painful but necessary price for getting the local back under control. And despite attempts by many to orchestrate some sort of reconciliation, the leaders on each side seemed to be digging in their heels for a fight. Both the local and international had been orchestrating events to shore up support. Turning people out, Cohen remarked, was how you show “God is on your side.” But what were these different conceptions of unionism anyway?

Growing Pains

For SEIU’s international leadership, the possibilities for working-class power rested on the union’s capacity to centralize authority and become a political force. One international staff person explained that since “wealth and decision-making is more centralized” among corporations, in turn labor had to “get more centralized. The employer picture is going to fashion the labor picture in response.” Even more controversially, Andy Stern had made growth the central priority for the union: “The theory is the bigger we are, the more strength we have to [enact] public policy and hold to account employers who have gotten bigger and more centralized.” For the international leadership, “When you do the power analysis, the way to preserve the gains and advance . . . requires exponential growth, and
the way you get exponential growth is you look at all options, and that’s what Andy was willing to do when no one else was willing to do it.” By this logic, the union’s responsibility for its members necessitated “maximum flexibility and . . . realpolitik.” A local union’s narrow focus on its own membership—rather than on members across the country or on the unorganized—meant, according to the international, that a local would never voluntarily take the risks or make the compromises necessary on behalf of the working class as a whole.

Underlying Stern’s commitment to growth and centralized authority was a pragmatic political philosophy resonant with—if distinct from—Adam Przeworski’s analysis of socialist political parties in his *Capitalism and Social Democracy.* Przeworski discusses how the decision by socialist parties to enter electoral politics in the early twentieth century effectively made it impossible for such parties to base themselves solely in a self-identified “working class.” Since a working class could never become a majority of voters in society, a socialist party was left with a choice between being “a party homogenous in its class appeal but sentenced to perpetual electoral defeats and a party that struggles for electoral success at the cost of diluting its class character.”

For Przeworski, working-class parties became diluted because they were compelled to appeal to the middle classes. Stern and SEIU, however, tended to reach out not to the middle class but to capital itself. Winning a voice for workers demanded that the union sometimes work in partnership with business. Oftentimes this meant that the union had to make significant compromises—for example, gaining organizing rights in exchange for the union’s political advocacy on behalf of a company or concessions by the company’s organized workforce. During contract negotiations with the Tenet Healthcare Corporation in 2006, the international made a deal that gave the union bargaining rights at twenty-three additional Tenet hospitals nationwide but made concessions on behalf of organized hospital workers in California (the concessions were later withdrawn, after outrage from UHW).

The paradox for Przeworski was that “class shapes political behavior of individuals only as long as people who are workers are organized politically as workers.” As socialist parties built bridges with other social groups in order to gain political power, workers’ identities as workers diminished. Stern’s desire for SEIU to become a political power on behalf
of the working class, paradoxically, made less clear what it meant to be a member of the working class at all.

At the micro level, Stern’s philosophy of centralization and political compromise meant that worker political education often was given short shrift. A local organizer remembered hearing from the international, “Listen, don’t go into workplaces talking about class. Don’t go into workplaces talking about distribution of wealth. Don’t go in talking about those things because workers don’t care about that, that’s not where workers are at.” And while this organizer agreed that “there’s some validity to how you frame those conversations [and] you don’t go in with the Communist Manifesto,” he continued, “eventually, you have to get to the conversation with homecare workers, ‘Why are you getting paid $10 an hour?’”

Workers sometimes were left out of the equation altogether. When developing the union’s Catholic healthcare strategy, one international leader recalled, the assembled group formulated criteria in order to prioritize organizing in different systems. She remembered suggesting, “‘Shouldn’t the number-one criterion be worker interest?’ And there was laughter from our East Coast colleagues [international headquarters staff].” At Catholic Health Partners in Ohio, SEIU reached an agreement with the hospital system in which neither side would campaign at all. According to the National Labor Relations Board, “The only materials distributed to employees were jointly-created materials explaining the election process.” The results of the election, reported on January 28, 2011, were that only four units out of forty-three (and only 10.2% of the workforce) voted to unionize. If nothing else, this result suggests the ongoing importance of worker organizing and worker education to union success.

The international’s focus on organizing was a double-edged sword. On the one hand, Stern’s singular focus and take-no-prisoners approach helped to unsettle a languishing labor movement and organize tens of thousands of new members; on the other hand, his approach was deliberately undemocratic, creating waves of organizational crisis in order to concentrate power and make decisions unilaterally. SEIU’s innovative organizing strategies have led to remarkable victories like the Justice for Janitors campaign in Los Angeles; at the same time, these strategies seem constrained by an “ideology of organizing” that considers union membership an end in itself—rather than a means to a broader vision of social justice (see conclusion).
Resistance from Within

Przeworski assumed that socialist parties played an important role in constructing workers’ identities, leaving little possibility of resistance—from workers or from a dissenting faction of the party itself. Within SEIU, however, local leaders were upset by the international’s willingness to compromise workers’ ability to strike and workers’ capacity to advocate for changes on the shop floor. According to a local organizer, the union would become nothing more than a “machine for growth.” He asked, “Does it ultimately build power for working people? No, I don’t think it does.” Another local organizer agreed, saying, “I’m for growth as much as anybody. That’s what I’ve spent most of my life trying to do. [But] it’s gotta be something that’s principled, and that makes sense.” Not only did political compromises and alliances with management undermine workers’ rights, but they removed the motivation workers had for being in a union at all.

Contrasting the international’s conception of unionism with the local, a third organizer suggested that the international was just like the Sisters of St. Joseph of Orange:

There are people in the Church who have a top-down approach to what the Catholic Church is. That it’s a group of bishops. . . . And that’s who the Church is, and they dictate to the rest of us what the Church is. And then there’s a group of people who think the Church—it comes from the Greek word ecclesia, which just means place or building or people . . . a sense of community—is from the ground up. And that’s always been resisted, just like [the resistance facing] what Sal [Rosselli]’s trying to build.

Sal Rosselli spoke in similar terms in an interview:

There is a fundamental difference in ideology. The way we describe it is it’s a bottom-up perspective versus a top-down perspective. We believe in empowering workers and that there is no limit to empowering them. This differs from SEIU’s leadership who are increasingly concentrating power, their authority and resources among a few in Washington D.C.11

The local emphasized the importance of worker leadership and worker voice. Although local organizers’ comments should be taken with a grain or two of salt, given that they were fighting the international and so had
reason to emphasize the distinctions between them, they do raise impor-
tant questions about what might be lost in a highly centralized labor or-
ganization. According to an organizer with the local, social change was
impossible “if workers are basically [made] unaware of the potential they
have for change by the very institutions that are supposed to be fostering
and awakening them.” Local leaders emphasized that the union’s power
was derived less from its agility in the political arena and more from work-
ers’ capacity to advocate for themselves. Another organizer suggested that
the union was important not only to give people a higher standard of liv-
ing but to give people “control over your life.” Since “you spend a third of
your life at work, that’s going to affect you.” Explaining the importance of
workplace control, a third organizer quoted from a book he had read in
which a worker had said, “The work rules, that’s for me, as a worker. The
wages and benefits, that’s to take care of the family.”

The ideological differences between the international and the local
were mirrored elsewhere in organized labor, particularly in those seg-
ments committed to revitalization. And throughout the labor movement
there seemed to be little room for disagreement. Dissent was understood
as disloyalty, and politics took the place of process. 12  The creative strate-
gies that unions used against employers were turned against one another,
to ill effect. For example, the merger between the Union of Needletrades,
Industrial and Textile Employees (UNITE) and the Hotel Employees and
Restaurant Employees Union (HERE) unraveled after less than five years
as differences in organizational culture and approach to organizing be-
came apparent. 13  In an especially pernicious turn, in January of 2009—
around the same time as the trusteeship of UHW—Stern and SEIU
sided against HERE, its longtime ally, supporting the secession of former
UNITE members (and UNITE’s former president Bruce Raynor) into a
newly formed SEIU subsidiary. 14

Tensions built more gradually between UHW and the international. In
2003, the international brokered a deal with a coalition of nursing homes
called the California Nursing Home Alliance, most of which were within
the jurisdiction of the local union. Under the agreement, the union would
help lobby the California Legislature to increase reimbursement rates for
nursing home care. In exchange, the nursing home alliance would select
forty-two homes to be organized by the union under “template agree-
ments.” 15  These agreements limited the extent to which workers would be
able to bargain collectively, and put limitations on workplace grievances or public advocacy. Moreover, workers at nursing homes in the alliance were not permitted to organize outside of those homes that the nursing home companies permitted. A leader in the local union remembered advising that “there were some serious problems” with the deal, but he was willing to give it a chance to work. Brandon recalled the feeling around the local: “We’re not totally cool with this but we also haven’t been able to organize nursing homes in a way we know we need to, so let’s give this a try.”

Many in the local soon came to believe, however, that the nursing home industry could not be trusted. According to one local organizer, “We tried it, it didn’t work, and it didn’t work largely because nursing home owners are not honest.” Yet the “international was still willing to work with them,” leaving the local feeling that the international had bargained away the union’s capacity to advocate for its members and for the patients the members served. In conversations with nursing home leaders, it became clear to local staff that the industry wanted to “eliminate shop-floor fights, shop-floor militancy.” Stern’s protégé, Tyrone Freeman, who had been handpicked to be president of what was then SEIU Local 434B, had been willing to give managerial control to the industry in exchange for better wages. According to a UHW leader, Freeman said to the industry, “You can manage this place, I don’t care what shifts people work. . . . You pay them what we need, and you give us [the union] new [nursing] homes, and we’ll figure it out.” A memo the local sent to the international on September 22, 2005, expressed concern with the relationship between the union and the nursing home alliance. The local felt that it had expended large amounts of political capital for the rights to organize only forty homes: “It is important to note that 8,000 nursing home workers will benefit from the power of 600,000 SEIU members in California. This was the result of our SEIU State Council making rate reform the #1 priority legislatively.” Moreover, the local expressed concern that the industry was wedded to maintaining template agreements that gave only minimal wage increases and restricted workers’ rights on the floor: “The template is what sold them on the Alliance deal—labor peace at a low price.”

Perhaps most controversially, in 2004 the international union reapproached the nursing home alliance to begin collaborative work on tort reform in the industry, in exchange for the industry’s permission to organize a hundred more homes. In a memo sent from the local to the international,
the local argued that the tort reform deal was “bad politics, bad policy, and a bad internal process.” Many in the local agreed that tort reform was needed, yet believed the deal forged between the international and the nursing home industry failed to protect nursing home patients—limiting patients’ rights to sue without increasing other protections. Moreover, local leaders thought the deal would alienate the union from progressive allies around the state and country. A San Francisco Weekly exposé by Matt Smith in June 2004 derailed the efforts, but not before embarrassing both the local and the international unions. In the article, UHW president Sal Rosselli defended the alliance agreement: “Traditionally, there has been an adversarial relationship between SEIU and general health care providers. We’ve been changing those relationships to accomplish common goals.”

Divisions between the local and the international became public, however, when Smith published a second article in April 2007: “Officials with Sal Rosselli’s UHW-West have apparently taken a strong stand saying corporate-friendly alliances aren’t the panacea Stern makes them out to be.” The piece cited an internal memo by the local critical of the alliance deal. International staffers were convinced that Rosselli or other top local leaders were behind the story, although local leaders deny those claims to this day. The alliance was soon history. And it was that moment—according to many local leaders—when the international union decided, “We have to take them out.”

From this point on the conflict took on the feel of a civil war, replete with intrigues, accusations, and acts of aggression. In early 2008, the international brokered a deal with nine Catholic hospitals in Ohio. The hospitals, all part of the Catholic Healthcare Partners system, had agreed not to campaign against SEIU if the union would agree not to campaign for the union or build worker leadership leading up to the vote. Several outside unions were concerned that the arrangement was a “sweetheart deal,” an arrangement that would lead to a weak bargaining position for the newly established union. In March, just before the scheduled elections, organizers from the California Nurses Association arrived to campaign against the deal, and the agreement fell apart. Yet the rumor among international leaders was that Sal Rosselli and the United Healthcare Workers West local was behind the “raid.”

In response to Rosselli’s perceived disloyalty, the international increasingly encroached on the local’s decision-making authority. In December
2007 the international union orchestrated the removal of Rosselli as the head of SEIU’s California State Council (Rosselli resigned before he could be removed). And by the spring of 2008 it became clear that Stern intended to remove long-term care workers from UHW, transferring approximately sixty-five thousand members out of the local and into a new long-term care “mega-local.” Stern argued that the transfer was “consistent with [the union’s] overall policy: to form larger locals that have greater bargaining and political power.” He argued that the move “resembled a 2005 merger that benefited Mr. Rosselli, when a health care local in Southern California merged with his old local, with Mr. Rosselli heading the combined local.” Rosselli and many in the local, however, saw it as an effort at retaliation. In August, news broke that Tyrone Freeman, president of California’s United Long-Term Care Workers Local and the intended recipient of UHW’s long-term care members, had arranged for his wife and mother-in-law to receive hundreds of thousands of dollars in union contracts and donations. Freeman was forced to resign, leaving California’s largest union local without a leader. The international accused Rosselli of leaking the story to the Los Angeles Times. At SEIU’s 2008 National Convention, in Puerto Rico, the union ratified a platform that established nationwide councils to plan strategy for organizing campaigns, and increased the international’s capacity to discipline dissident locals and redraw union boundaries. For Rosselli and others in the opposition, these measures seemed “designed to stifle dissent.”

In the fall of 2008, SEIU scheduled hearings to explore a trusteeship of UHW, accusing the local of financial malpractice and undermining union democracy. According to former UHW leaders, the local was worried about an impending trusteeship and had used members’ dues to set up a “defense fund” that had been hidden from the international union. The hearing officer (appointed by the international office), former secretary of labor Ray Marshall, found that “those actions were not reason to impose a trusteeship but merely symptoms of the underlying conflict.” Nevertheless, Marshall recommended that the local be placed in trusteeship if it did not heed the international’s order to transfer the sixty-five thousand nursing home and home care workers. “No democratic labor organization can permit local unions to nullify international decisions reached through the democratic processes specified in their constitution and bylaws,” Marshall wrote in his decision. On January 27, 2009, SEIU formally placed the local
in trusteeship. On January 28, local staff and worker leaders announced the formation of the National Union of Healthcare Workers (NUHW), with the intention of decertifying the local (now in trusteeship) and moving workers into “a new, democratic union, with members in control.”

The Story in Santa Rosa

The union's struggle with St. Joseph Health System did not fit neatly into the dichotomy that came to characterize the struggle between the local and the international. A synthesis between the two conceptions of unionism seemed to make the campaign possible. One union leader on the campaign discussed how she saw the two sides in the conflict as being consistent with and complementary to one another:

[Stern] is an elected representative who’s doing his best to represent the interests of workers in his union and those he would like to be in his union. So he’s a visionary, dedicated labor leader. And he might even say it’s his fiduciary responsibility to grow this union. . . . You have to make compromises and that’s the art form, and that’s all true. And Sal Rosselli can say I have fiduciary responsibility to my membership in California on whose back you want to make these compromises. And I want workers at the table in every bargaining [session]. And struggle is good because it fortifies the base. I don’t want to cut a deal. I want the workers to claim it, own it. Ownership. Are they mutually exclusive? I would argue that they don’t have to be. They can be complementary.

In the two years leading up to the trusteeship, however, the Catholic strategy was undermined because of divisions between the local and the international. In the fall of 2007, as the local prepared for its largest march to date in Orange County, Ross and Goldstein received a call from the international’s representative at the national Catholic roundtable asking them to call the march off. According to the representative, it was “causing some problems at the national table.” Ross and Goldstein answered that they would be open to putting a moratorium on public action if the system was serious about sitting down—which the system made clear it was not. A few months later, facilitators at the national table approached the local again in an effort to stop the local’s St. Joseph Health System campaign,
since SJHS was threatening to withdraw from the national roundtable. Ross saw an opportunity to generate counterpressure on Deborah Proctor and SJHS executives, letting “her and the Sisters know that they were in violation of the core principles” of the national agreement. International leaders again demurred, telling Ross that the strategy he had proposed was “impossible.”

Ross would later learn from an international leader in the union’s healthcare division that the international union made a decision not to support the St. Joseph Health System campaign as early as August 2008, worrying that a victory for the local would make trusteeship more difficult. Moreover, throughout the fall of 2008—the very moment SJHS first expressed willingness to negotiate—CHA president Sister Carol Keehan had been advising the Sisters of St. Joseph of Orange not to engage with the local, citing the conflict between the local and the international. According to Ross, such advice would almost certainly have come from the international union itself.

**Workers on Their Own**

A couple of weeks after trusteeship, Ross, Purcell, and I drove to St. Helena for a meeting with Monsignor Brenkle to discuss the disintegration of the St. Joseph Health System campaign. On our way to the rectory, we passed a newspaper stand, and the front page stopped us in our tracks: due to a $17.7 million dollar shortfall in its Sonoma County operations, SJHS was planning to lay off 152 workers from Santa Rosa Memorial Hospital within the next two months. The next day, Ross approached the international about fighting the layoffs with a remaining SEIU organizer who had worked on the SJHS campaign. Such a crisis at Memorial might help rekindle organizing efforts there. Yet the organizer was told that SJHS workers were “no longer a priority.” Mari, a member of the organizing committee, recalled her anger when the union “closed our offices, never responded to our phone calls, never called us, never answered us. . . . They disappeared off the face of earth.” What was hardest for her was losing credibility among her co-workers: “It’s really hard to walk down those hallways, and those employees for years you’ve been telling them you can help them to get a voice. . . . You feel that they are looking at you and
they’re thinking, ‘You’re full [of it].’” Mari was also one of the workers who received a layoff notice: “So I got hit not only emotionally from SEIU, my co-workers lost credibility in me, they were looking at me like ‘you fool,’ and then I lost my job. When I lost my job, there was no one from SEIU to advise me. . . . I’ve been fighting for you for the last six years, telling them SEIU was good. Where is SEIU for me?”

Within days of the trusteeship Brandon, the lead organizer on the campaign since 2005, held a meeting with workers to discuss the options: continue to organize with SEIU, organize with the newly formed NUHW, or throw in the towel. Many were angry with SEIU, but unsure about the new union. After all, the new union did not have any money, any members, or any real staff. But after several days and some debate, the committee voted unanimously to go with NUHW. After having collected 60 percent of the signatures needed to file for a union representation election with SEIU-UHW before trusteeship, the committee would have to start over. Dan recalled thinking, “Okay, we’ll push the rock up the hill again.” Brandon described the organizing committee’s reaction: “‘Oh Christ, we have to go back and do this again, it’s going to be hard, I don’t know if we can do it,’ but it was the only option that people felt good about, especially after SEIU didn’t return their phone calls.”

This time around, workers had to make do without the formidable resources that SEIU-UHW once offered. The paid staff in Santa Rosa went from a high of six (give or take) in 2007 to zero. Brandon was now officially unemployed, but agreed to continue on as a volunteer. Workers gave him gas money and an occasional stipend out of their own pockets. Without an office, the committee met in the clubhouse at one of the worker’s condominium developments. Without any copy machines, workers would print flyers illicitly at work or foot the bills themselves.

But the new union’s lack of resources actually seemed to inspire a kind of resourcefulness, helping workers take ownership of the campaign more fully. Brandon remembered, “It’s the little things that probably they would have done the whole time anyway, but because we have money, because we have an infrastructure of resources we don’t expect people to do that, so when people are willing to do that kind of stuff for themselves it’s always pretty remarkable.” Brandon said that “it really felt like you were part of one of the great labor struggles of our day . . . you think about the farmworkers, and everybody working for free.” Mari drew a similar
comparison when she spoke of the new union’s lack of resources, explaining, “Cesar Chavez didn’t have the resources when he began.” Organizing committee members recalled feeling that they owned the campaign in a different way. Frank remembered explaining to people that the decision to go with NUHW meant that “we’re the union” even more fully. Brandon explained that in a long campaign “you keep going because that’s what you’ve been doing. It almost becomes a habit. . . . And to have that all of a sudden feel exciting and new after five years is pretty amazing.” Without union resources to support them, workers were forced to draw on new sources of intrinsic motivation and to take on new leadership roles.

Members of the organizing committee went to speak with their co-workers once again, and over the course of the next two months managed to re-create their petition support, this time with NUHW. On April 13, 2009, more than four years after the previous election was scheduled, they filed with the National Labor Relations Board—demonstrating close to 60 percent support of all the eligible workers. SEIU-UHW quickly intervened, charging NUHW with unfair labor practices and postponing the election. Through such legal maneuvers, SEIU was able to put off the election until December 19, 2009. Somewhat hypocritically, given the international’s interest in “fair election” agreements, SEIU was also able to stave off any such agreement in Santa Rosa. In September 2009, SEIU-UHW stated that it would not enter into any sort of election agreement with NUHW and SJHS. In late November, Robert Reich and Monsignor John Brenkle offered to bring the parties together to negotiate election ground rules. This time SJHS and NUHW accepted the offer, but SEIU refused.

For members of the organizing committee, the last-minute intervention by SEIU was infuriating—and motivating. Cynthia recalled that it felt as if the hospital and SEIU were both “taking away [workers’] right” to a fair election. Yet while workers had ambivalent feelings about the hospital as a whole, SEIU was more clearly “an enemy” and so helped to “galvanize” the organizing committee: “It became more obvious that [SEIU] didn’t really have workers’ interest at heart. And that seemed really important to me to stand up to, above and beyond our own local fight.” More than they ever had before, workers at Memorial suddenly felt the national implications of their efforts.

For their part, SEIU organizers in Santa Rosa argued that they had the resources to win results for workers—and that NUHW would likely
be bankrupt before winning a contract. According to Mari, SEIU “told us that they had the money, their money and their power will make us be successful. But there was nothing about your voice is going to make you successful. It was ‘our money,’ SEIU’s money is going to make you successful.” SEIU demonstrated its resources by sending eight organizers to Santa Rosa in the months preceding the election. In the weeks prior to the election, SEIU brought workers from other SEIU organized hospitals into Memorial’s cafeteria wearing bright yellow T-shirts with “Truth Squad” printed across the front. And in a move strangely reminiscent of the Orange County blitz that I had taken part in two years before, SEIU organized a blitz at Santa Rosa Memorial Hospital in which three-hundred union members and organizers reached out to workers a few weeks before the scheduled election. The gathered crowd also held an “informational picket” outside the hospital.

Despite SEIU’s resources, it was unable to get any traction with Memorial workers. For several weeks SEIU organizers held informational meetings at their office in Santa Rosa. At the first meeting no workers showed up aside from NUHW hecklers. At the second meeting, one Memorial worker came to find out more about SEIU, yet four NUHW committee members were there to greet him. As SEIU organizers tried to separate the one worker from the committee members, Andrew remembered, the committee members resisted, and began to “educate him on how horrible SEIU was.” By the end of the meeting, NUHW had gained another organizing committee member.

But winning the election, it seemed, was never SEIU’s intention in Santa Rosa. Rather, SEIU hoped to prevent NUHW from gaining any momentum. International trustee Dave Regan explained SEIU’s strategy more crassly in a meeting of organizers in Fresno when he told them SEIU needed “to drive a stake through the heart of the thing that is NUHW,” to “put them in the ground and bury them.”29 As Dan explained of his co-workers, “A lot of people went, ‘Unions, a pox on both their houses.’ And that was [SEIU’s] whole intent when they came here. I think they realized from the get-go they didn’t have a shot.” Unsurprisingly, those against any union at Memorial had a field day with the internecine fight. Around the time that NUHW filed for an election, hospital management posted a memo citing a statement by SEIU international leader Eliseo Medina: “According to top SEIU officers, the
leaders of SEIU/UHW-West were found to have violated their duties to their membership, engaged in serious financial wrongdoing, attempted to subvert the democratic processes of the union, and failed to safeguard collective bargaining relationships.” In mid November, a flyer circulating among antiunion staff at the hospital depicted SEIU and NUHW as two burning houses, alongside a plea for “help and advice from anyone to keep these troublemakers away.”

The election was scheduled for December 17–18. By the time of the vote count, the organizing committee was almost delirious with exhaustion. According to Brandon, no one had slept more than four hours per night in the previous seventy-two hours. By the time the polls closed at 4:30 p.m., Andrew had been up for twenty-four hours. The count took place in the hospital’s Life Learning Center, across the street from the main building. But as workers approached, Brandon recalled, “management turned it into a police state,” posting several security guards in and around the building. Rebecca was turned away because she had forgotten her hospital identification in her car. Children and spouses initially were refused entry as well. And by the time workers made it past security and into the room where the count was to take place, they found that the front rows had been occupied by managers and antiunion workers. Brandon looked back on the night with some anger: “They treat their own employees like criminals, not like people who we trust taking care of our children and our loved ones and our parents. It’s disgusting. You’re good enough to help someone deliver a baby, but you’re not good enough to watch your own vote count.”

Then the count began. An NLRB administrator read the ballots aloud one by one. It quickly became clear to everyone in the room that the contest was between NUHW and “no union.” With only about thirty ballots remaining, “no union” had taken a significant lead over NUHW, and it seemed to many in the room that the remaining ballots would be “no union” as well. Andrew remembered seeing managers “having a good old time and chit-chatting back and forth, smiling.” But the tide turned. The last ballots were all NUHW, bringing its grand total to 283 compared with 263 for “no union.” SEIU had received thirteen votes in total. After more than five years of struggle, workers at Memorial had voted for their union.
Winning the Union before Winning the Union

How did workers with NUHW win in 2009 when the same workers could not win with SEIU-UHW in 2005? In 2005, workers had access to many more resources and more staff support; in 2005, there was no civil war within the labor movement. And although St. Joseph Health System theoretically had agreed to negotiate “fair election” ground rules in August 2008, no such agreement had been reached in either election campaign. Despite seemingly less favorable conditions in 2009, NUHW was able to win.

Several factors seemed to contribute to the victory. First, the very length of the struggle had helped to institutionalize the union in the minds of workers. According to Brandon, “Because the union had been there for five years, it was something people had gotten used to. . . . and some managers at least had gotten used to.” The union was no longer a group of outsiders but was part of the community of the hospital. Brandon himself, who had been working on the campaign since 2004, had become a familiar face. And the fact that many workers were willing to spend five years advocating for unionization helped to dispel the idea that the union was an outside third party.

Second, the union’s cultural strategy had resulted in concrete concessions from management that helped to mitigate management’s antiunion campaign. According to Brandon, “The boss didn’t campaign in the same way that they did the first time.” In 2005, the hospital had held mandatory meetings every week leading up to the election, and had built a “case against the union.” In 2009, Brandon suggested, “because of the work that we did in the intervening period,” management “never got strategic about it.” Finally, workers felt that the community was behind them and their efforts. Religious leaders, political representatives, and other community figures had all consistently expressed their support for workers’ right to organize. A vote for the union was no longer understood as a vote against the hospital, as it had been (at least for some) in the earlier campaign.

But workers’ victory at the ballot box did not lead seamlessly to a first contract, or even to union recognition. Soon after the election, St. Joseph Health System appealed the results to the National Labor Relations Board, charging that the NUHW had campaigned unfairly, had “engaged in surveillance of employees,” and that the NLRB itself had “displayed the employees’ choices in different fonts and font styles thereby confusing voters.
On May 28, 2010, the regional office of the NLRB overruled the objections “in their entirety,” and certified NUHW “as the exclusive collective bargaining agent” at the hospital. Yet SJHS appealed the decision to the NLRB, further postponing recognition of the union. Scholars and NLRB administrators have documented the problem of delay at the NLRB, and its use by antiunion employers.31

SJHS’s appeals were almost certainly out of line with principles agreed upon by the United States Conference of Catholic Bishops, however, who—in their working paper—had explicitly stated the need to avoid “using the law as a weapon or means of delay.” All the more remarkably, on June 23, 2009, the Conference formalized its recommendations in a document entitled Respecting the Just Rights of Workers: Guidance and Options for Catholic Health Care and Unions. Yet NUHW had no way to appeal to the national table, a table at which SEIU remained a powerful force. It was only after the NLRB overturned this second appeal that St. Joseph Health System finally recognized the union on December 29, 2010—over a year after workers voted for the union, and over six years since workers started organizing. As of this writing in November of 2011, contract negotiations are still in process.

The workers’ story at Santa Rosa Memorial Hospital is thus one of mixed success. Against all odds workers were able to win an election against an antiunion hospital system and against the most powerful labor union in the United States. But the same grassroots spirit that allowed them to win the election had left them relatively isolated as they approached the bargaining table. For some of the workers I interviewed, the lesson of their victory seemed to be that “smaller is better.” For George, “big unions are almost like another big corporation.” He hoped “that NUHW doesn’t get so big that they lose their perspective.” Mari echoed this sentiment, explaining that SEIU “lost track, they lost their own teaching . . . just like Memorial lost their teachings, the nuns lost their teachings. [SEIU] became a corporation too big for their own good.” Both George and Mari seemed to suggest that NUHW’s small scale is part of what allowed it to give workers voice.

But in a world of large national and international employers, a world of powerful and well-funded political parties and interest groups, there has to be a way for workers to win voice and collective power—to combine respect for the dignity of individual workers with collective power for workers as a group, if not a class.