

Unions await L.A. election results

Workers' vote at a Kaiser hospital is a key battle in the clash between giant SEIU and upstart NUHW.

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It has taken almost a year, but Tessie Costales says she and her fellow nurses are thrilled that they were finally able to vote for a new collective bargaining representative.

"We want a democratic union where there is member involvement in determining what is safe and good for our patients, and what is safe and good for our members," said Costales, a registered nurse at Kaiser Permanente's Los Angeles Medical Center.

The votes of Costales and hundreds of other nurses at the Kaiser facility are scheduled to be counted this week — the latest development in a monumental intra-union struggle for the hearts and minds of California healthcare workers.

The clash has caused deep dismay in labor circles nationwide, divided union and Democratic Party loyalists and overwhelmed federal regulators who normally oversee union-management conflicts.

Costales supports a breakaway group that is threatening the dominance of the giant Service Employees International Union, which represents some 150,000 hospital, home-care and nursing-home employees statewide.

The nurses are among more than 2,000 Kaiser employees at hospitals, clinics and doctor's offices in Southern California voting this month in controversial balloting that could oust the SEIU as their representative. Seeking to supplant the SEIU is the breakaway National Union of Healthcare Workers, a new union that is duking it out with the SEIU at

health facilities from San Diego to Mount Shasta.

Leading NUHW's insurgent campaign are ex-union officers forced out when the SEIU swept in a year ago and asserted control over the California healthcare chapter, alleging mismanagement and fiscal irregularities. The ousted unionists, headed by Sal Rosselli, a longtime labor chief, accused SEIU's Washington headquarters of a power grab and promptly formed the NUHW.

The new union has few resources compared with the behemoth SEIU; it does not yet have a single worker under contract.

But the NUHW possesses a major asset: close ties to the rank and file. The new union's leaders represented the workers for years before the SEIU takeover. The NUHW has played on union members' sense of loyalty, portraying the SEIU as an anti-democratic interloper that has shut workers out of negotiations and cut deals to the detriment of employees and patients.

The SEIU calls its upstart competition a pack of thieves and vandals who sabotaged the local before being kicked out, destroying records and misappropriating funds.

SEIU supporters say activists in the ousted union quickly took to demonizing the SEIU.

"We heard they were thugs and henchmen and cronies out to destroy our union," said Denny Henriques, a respiratory therapist at Sutter Delta Medical Center in Northern California who says he supports the SEIU. "It wasn't true. They've represented us well."

The fledgling NUHW filed petitions from supporters at scores of hospitals and clinics statewide, including the Kaiser facilities in Southern California. The aim was to decertify the current union, SEIU's United Healthcare Workers — West, and install the NUHW in its place.

But the SEIU, whose president, Andy Stern, is among the nation's most powerful labor leaders, has responded forcefully. In Fresno, the SEIU dispatched hundreds of staffers in a successful bid to beat back its rival in a fierce fight to represent some 10,000 home-care workers.

Throughout the state, SEIU has filed so-called "blocking" charges with federal regulators in an effort to stymie balloting that could result in its ouster. The SEIU cited alleged abuses by employers and "misconduct" by its rival "that seriously jeopardized workers' rights," according to an SEIU statement.

NUHW has denied any misconduct and called the SEIU response a stalling tactic meant to put off elections as long as possible.

In December, however, the National Labor Relations Board moved to break the election logjam.

The board directed that a vote be held this month to determine who has the right to represent some 2,300 Kaiser healthcare workers, mostly in Southern California, including Costales and her fellow nurses. The Kaiser workers have been demanding an election since last February, when they petitioned for a vote to kick out the SEIU. Federal labor officials

are scheduled to open and count the Kaiser ballots Tuesday.

The Kaiser outcome will be especially significant because the upstart union has targeted for recruitment some 47,000 other Kaiser workers statewide now represented by the SEIU. The huge Kaiser bloc is regarded as the grand prize in the struggle.

Each side says it expects to prevail. Nonetheless, SEIU is still challenging the process, alleging that the Kaiser vote was illegal because contracts already in place barred balloting.

In another twist, the SEIU has asked the federal labor board to hold elections among more than 4,000 workers at 29 California hospitals and nursing homes where it faces being replaced by NUHW. The action represented a new strategy, because the SEIU had previously moved to block the voting.

However, the NUHW promptly accused the SEIU of "cherry-picking" facilities where it has a chance to win. The insurgent union is calling on the labor board to reject the partial approach and schedule elections at all of the more than 80 California hospitals and nursing homes where petitions to replace SEIU are pending.

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