

Catholic Scholars for Worker Justice

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Findings and Statement of Support: Workers at St. Joseph Health System (CA)

August 6, 2008

REQUEST:

Workers at St. Joseph's Health System (SJHS-CA) have requested that Catholic Scholars for Worker Justice (CSWJ) endorse their campaign to engage in collective bargaining with the hospital corporation. Several members of the CSWJ's Steering Committee (SC) have responded to the workers' request by visiting with and listening to workers at SJHS sites in Santa Rosa and Orange, CA. The SC members interviewed several groups of workers in each location in addition to hospital officials, local clergy, and union organizers. The workers have chosen to be represented by the Service Employees International Union. (SEIU)

FACTS:

Several categories of workers have sought union recognition at St. Joseph's Health System for the past four years and the system has consistently refused to engage in a dialogue with the workers and the union they have selected to agree to mutually acceptable ground rules in preparation for a union election (in accordance with the United States Conference of Catholic Bishops,' "A Fair and Just Workplace: Principles and Practices for Catholic Health Care, IV). St. Joseph's Health System is owned and sponsored by the Sisters of St. Joseph of Orange (CA). SJHS employs 22,278 workers at 14 acute-care hospitals. There were \$3.67 billion in revenues and a profit of \$300 million in 2007. A diverse number of sources including NLRB decisions¹, government records, court documents, and interviews with workers indicate that (1) SHJS is currently waging comprehensive anti-union campaigns at six of its nine California hospitals; (2) SJHS has broken federal labor law; (3) SJHS has consistently violated the spirit and the letter of Catholic Social Teaching on workers' rights; (4) SJHS has spied on, harassed and intimidated workers who are known to be involved in the union effort resulting in numerous violations of labor law; (5) SJHS has consistently refused to work with its employees and the union they have chosen to represent them to establish mutually agreeable, fair ground rules for union elections (other CA health systems like Catholic Healthcare West and Kaiser Permanente adopted such ground rules as

¹ The most recent NLRB (Region 21) decision dated July 31, 2008, finds that "Respondent [Mission Hospital Regional Medical Center – SJHS] has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the [National Labor Relations] Act in violation of Section 8(a)(1) of the Act." In addition, the NLRB "General Counsel seeks an Order requiring that a responsible official of Respondent, in the presence of a Board agent, read the Notice to Employees to all employees, on all shifts, convened at the Hospital, during employees' paid working time." (Emphasis supplied) This *extraordinary* Order deals with 18 supervisors who have "Applied Respondent's no-solicitation rule in a selective and disparate manner," "Engaged in surveillance of employees," "Coerced employees who were engaged in conversation with Union representatives" and were found "physically blocking employees who attempted to hand union literature to other employees and members of the public" among other violations of the National Labor Relations Act.

far back as 1997.) (6) Finally, and most importantly, SJHS has employed two “union avoidance” firms, Foley & Lardner and Cruz & Associates, to assist them in preventing and busting union efforts at SJHS. Cruz & Associates boasts to its clients: “A union free work place is earned by employers who create an environment that encourages growth, understanding, and respect.”

All of the effort, time, expertise, and legal and consultant fees that SJHS expends on its prolonged union-busting campaign naturally cost money. Hence, this begs the question, “Who pays for these anti-worker campaigns?” It seems logical to conclude that the funds ultimately come from the patients and clients who, in good faith, pay or donate funds to SJHS to fulfill its mission: “To extend the healing ministry of Jesus in the tradition of the Sisters of St. Joseph of Orange *by continually improving the health and quality of life of people in the communities we serve.*” (Emphasis added.) This raises the moral question of whether SJHS is engaging in proper stewardship of donor, patient, and employee funds.

CSWJ researchers have assembled a good deal of evidence to support the above statements and, of course, much is available through the public record. Conversations with and reports from employees also indicate that SJHS has turned once loyal and supportive employees into cynical, suspicious and frightened people who have been led to doubt their Catholic faith over the way the hospital Board is treating them. (One worker with tears in her eyes asked, for example, “I’m just trying to be a good Catholic. Am I doing something wrong? Doesn’t my Church support unions?”) Pricilla Yeager, a Financial Counselor at SJHS’s Santa Rosa Memorial Hospital, relates: “When management found out we were organizing a union, my co-workers and I were forced to attend mandatory meetings where we were made to watch videos that portrayed union organizers as dishonest and manipulative. There were also ‘non-mandatory’ mandatory meetings with PowerPoint presentations full of misinformation. On five separate occasions I was subjected to ‘one-on-one’ interrogations with administrators. ... I am convinced that we cannot have a fair process for organizing without serious labor law reform of fair and enforceable ground rules like the ones at Catholic Healthcare West.” (Ms. Yeager’s comments are in the public domain.)

Further information can be obtained by visiting SJHS’s website: www.stjhs.org; SJHS worker/SEIU website: www.voiceatstjoes.org; and the “union avoidance” firms, Foley & Lardner: www.foley.com; and www.cruzandassociates.com.

FINDINGS:

- (1) St. Joseph Health Systems has a well-documented history of antipathy toward, and resistance to, efforts by SJHS workers to join labor unions.
- (2) SJHS has violated civil labor law and been ordered to cease its anti-union activities.
- (3) SJHS has intimidated many workers and has harassed those workers who are actively supporting efforts to organize a union at SJHS.
- (4) SJHS violates both the letter and the spirit of Catholic Social Teaching on workers’ rights to join unions.

CSWJ STATEMENT OF SUPPORT:

Catholic Scholars for Worker Justice supports the right of the workers at St. Joseph Health System (CA) to bargain collectively with their employer through an independent union of their choice. Catholic Scholars for Worker Justice calls upon the Board of Trustees of SJHS to follow the letter and the spirit of Catholic Social Doctrine on workers' rights by supporting in word and deed the workers' efforts to form labor unions at SJHS. Catholic Scholars for Worker Justice calls upon the Trustees and administrators of SJHS to end their campaign of harassment and intimidation against workers who have freely chosen to support a union at SJHS. Catholic Scholars for Worker Justice calls upon SJHS to meet with workers and the union they have selected to agree to mutually acceptable ground rules in preparation for a union election. Catholic Scholars for Worker Justice strongly urges the Board of Trustees of SJHS to immediately discontinue its reliance on consultants or firms that specialize in "union free" workplaces. Catholic Scholars for Worker Justice calls upon St. Joseph Health System to recognize that labor unions are an "indispensible element of social life." (*Compendium of the Social Doctrine of the Church*, #305).

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