

SEIU-UHW EXECUTIVE BOARD MINUTES - SEPTEMBER 2018 (L.A.) - ADOPTED 12/7/18

THURSDAY, SEPT 6, 2018

Cass Gualvez and Chokri Bensaid opened General Session with video from the August DaVita action in Orange County, Yes on 8 campaign launch, and new video from the Kaiser Labor Day Action. Cass Gualvez acknowledged those who took on personal risk to demonstrate civil disobedience during the Labor Day Action. During Labor Day Action, Kaiser sent mailers to employees proclaiming how they are a friend of labor. Cass also discussed the \$47 million in DaVita's war chest to fight Prop 8, and how at Dignity in AZ, leaders are meeting with coworkers, meanwhile managers are calling folks asking them who is moving the union drive and issuing veiled threats about joining the union.

Chokri discussed Verity's recent filing for bankruptcy. Local news segment on the filing was played which highlighted Patrick Soon-Shiong's business practices which has placed patients, as well as members' retirement plans and pensions, in jeopardy.

Chokri mentioned Right to Work—those who do not want to pay union dues are no longer obligated, we will continue to fight this, example of greedy employers, the most valuable thing we have is each other, and our ability to mobilize 80% of our membership, each of us has to be responsible for building the teams that get 80% out at a moment's notice. How we are doing on the 80% campaign:

To show how we are doing on the 80% campaign, leaders from Kaiser San Jose, Modesto, JFK, BAC in Stockton shared how and why they became leaders, and how they could do more:

- **Ethan Ruskin** from Kaiser San Jose became UHW leader after being frustrated from low wage increases for years, wanted to make sure we got best possible deal and joined the bargaining team in 2007. Says managers treat you differently when you're union and has personally seen the difference a union can make and urges his coworkers to get the increased standards and benefits he has. He participated in the civil disobedience as an opportunity to lead and show example.
- **Kimon Christopher** from Kaiser Modesto became a leader after attending a Medi-Cal campaign meeting with Congressman, was impressed with how receptive he was and credits union power with that. Talked about how he has seen firsthand that WI has lost nearly all their power by becoming a Right to Work state, crumbling infrastructure and soaring poverty as a consequence. Third world country conditions, lack of participation and a voice in policymaking.
- **Deborah Banda** from JFK became leader after being asked, initially she didn't have interest but now feels it is a privilege. She believes in it because she sees all people as equal and deserving, and enjoys talking to people about our causes, appreciates the support she receives from members.
- **Faye Alberta Robinson** from BAC Stockton was encouraged to become a UHW leader by her mother. Coaches others to develop their leadership skills. She is passionate about the dialysis campaign and Prop 8, because two of her uncles coded during dialysis and her close friend is ESRD patient who is suffering in the clinics; passing Prop 8 is important so no more people have to die from bad conditions. When it comes to generating support for Prop 8 and the union, spending time with people to develop a relationship is what makes the difference.

Chokri Bensaid took comments from the members about what more we can do:

Janice Williams from Regional Ops – we need to make level more intense when we are talking to members, everyone needs to do more, talk to anybody we can about rallies, COPE, signing petitions, it's a constant thing, you can't take a break, need to reach every member.

Connie Taylor Smith, Sutter retiree – retired with all her benefits, thinks we can inspire soon-to-be-retired so they can also retire with full benefits.

Dave Regan began with reviewing the LA Times article "Red State Voters Look to Expand Medicaid this Fall Despite Trump's Hostility Towards Obamacare". Expansion of Medicaid, mostly working adults who make too much money to qualify for public support programs but not enough to afford an exchange plan. UT, ID, MT, NE are deeply conservative, all GOP dominated. The Fairness Project in 2016, started out by doing min wage initiatives, ended up winning everywhere, in all 5 places won by 10-20 points at the ballot. Part of what we need to do is regular people need to win. Regular workers who don't have unions don't get to have the voice that workers who do have, don't get to have the experience of winning. We are privileged that we can get into key offices.

Kavanaugh confirmation will likely cement anti-union for decades. We have to figure out how to win in ways that are not subject to Supreme Court decisions. We need a workers' organization.

Resolution 27-18. Seizing the Opportunity

Dave Regan reviewed the 11 ballot initiative campaigns under The Fairness Project:

Raise the minimum wage in AR, MO; expand Medicaid in ID, NE, UT, MT; sick leave in MI, TX; pay day loan protections in CO; universal homecare in ME.

The Fairness Project campaigns have to date all been won. 13 million union members in the US total. The work of The Fairness Project in 3.5 years is giving 13 million Americans the opportunity to substantially increase their standard of living coming out of UHW. We are doing it better than the entire labor movement through these campaigns. Open to questions about resolution to provide \$3m loan to the Fairness Project to complete these campaigns. UHW is the largest funder of the Fairness Project.

The Fairness Project is the result of this Board, and UHW has provided \$11m to FP in last 2 years, \$16m total. This has produced \$5.5B in better wages to 8 million people. The ROI blows away that of Google and Facebook stock.

The polling looks good in all campaigns, only known paid opposition is coming from tobacco industry in MT.

The resolution calls to take \$3m loan out of RESERVE fund, not strike fund. Essentially a rainy-day fund that has \$5m in it. This did not have anything in it at the beginning of the trusteeship. Strike fund has \$11.7m, more than in last 10 years and that money will not be touched. This will be paid back prior to 2020 election. We will not charge interest on the loan, FP is an ally and friend and creation of this Board.

The George Soros Open Societies Foundation has given us \$500k check to continue FP work because we are having success, vote of confidence.

Our job is get all our members to retirement with all their stuff. We can't win if they can't win in other states.

Opening up to questions/comments about the resolution:

Brandy Cunningham, Kaiser OC: concerns are contributors that have pledged but there's not guarantee we will get that money back, is there a plan to ensure.

Dave Regan: The source of this money is a rainy-day fund to deal with unexpected expenses. It is true there is no guarantee we will get the money back but anticipates big success that will breed success. UHW is not the only contributor – ID and MT Hospital Associations putting money in, and others. The Fairness Project is a benefit to UHW, not a liability. \$28m would get all 55k Kaiser members through a one-week strike.

Linda Cornell, Stanford Hospital: asked if legislatures can undo something passed by ballot initiative.

David Regan: Varies state to state, but at the least you would need a supermajority to undo it, or would need another ballot initiative to undo.

EBoard from Cedars Sinai: will there be checks on how the money's used, how to we make sure it's used to win?

Dave Regan: founder of the Fairness Project is watching every penny and negotiating with every vendor, also Steve Trossman is part of every campaign. Want you to have confidence that we are in contact with them every day. UHW members will also be participating in the out of state campaigns.

EBoard member: How does the Fairness Project's Medicaid expansion campaigns help us?

DR: Example in ME - hospitals now have improved funding, that can be spent on better wages, safety, staffing. Benefiting the entire industry starting with Medicaid expansion.

FRIDAY, SEPTEMBER 7, 2018

Dave Regan, SEIU-UHW President delivered his opening remarks on the period of intense activity and campaigns the Union is involved in. He referenced the efforts of all of our members in turning out more than 3,000 workers to the Labor Day peaceful protests at Kaiser Permanente.

Dave Regan then delivered some reflections he had made on the sessions and breakout discussions that had taken place so far during the leadership assembly. He began by talking about how high performing organizations place a high emphasis on fundamentals in the same way that elite athletes focus on fundamentals.

Dave Regan then stated his great appreciation for the members participation in a very moving panel discussion especially **Ethan Ruskin - Kaiser San Jose, Kimon Christopher - Kaiser Modesto, Deborah Banda – JFK, Faye Alberta Robinson – BAC Stockton.**

Dave Regan then discussed that in order for Union's to thrive in today's environment where workers rights are under constant attack, that it is imperative for our Union to really understand what it means to have and build power and how to evaluate our power versus the power that our Employer's possess. We need to understand how we develop strategies that incorporate our power to win for our members and workers writ large.

Dave Regan referenced the recent hearings of Brett Kavanaugh who had been nominated to the United States Supreme Court and that his confirmation would cement into place a reactionary and anti-worker majority on the Supreme Court for what will likely be the next 25 to 30 years. He cited the Supreme Courts recent decision in *Janus v. AFSCME* as an example of what can be expected from the court when ruling on workers issues. Since Janus the labor movement as a whole has lost 1 million members and the assault on workers is going to continue for as long as we can foresee.

In reference to another Supreme Court decision that now allows for employers to require employees to sign mandatory individual arbitration agreements waiving their rights to file claims against their employer in courts of law. As a result, now 1/3 of workers are now required to sign these types of mandatory arbitration agreements as a condition of employment and that figure will likely increase.

He noted that just because we represent mostly private sector workers we are not insulated from these attacks. SEIU represents 700,000 members in California but many are public sector. As an example he noted SEIU 1000 which represents 95,000 state workers lost 46% of their membership immediately following Janus.

He further commented that the architecture of traditional unions is under attack and in order to survive and thrive we need to build a union that is a workers' organization.

As an example, he pointed out that the SEIU UHW Executive Board is not just a governing body but it is a leadership body as well. He commented that UHW's Executive Board meetings are unique compared with the Executive Board meetings of other Union's because in addition to governance our Executive Board takes care to spend significant time and focus on building the leadership of our organization.

As another example, he applauded and recognized the members of the Community Division that were present. Pointing out that these members have no CBA but have decided to become members of the Community Division because they know that UHW is a place where they can come to fight for a better life.

He further pointed out that SEIU UHW is an organization that embraces conflict. This is important because powerful people only do things that they are forced to do. As an example, he pointed to the conflict with Dignity Health and Prime Healthcare over fully paid family healthcare. In both cases our members prevailed because they embraced those conflicts and forced the Employers to continue to provide fully paid family health care.

He then commented that Kaiser Permanente expects us to be subservient and agree to concessions. Bernard Tyson has 8 retirement and our members have 1 and he wants to take that away.

He commented on the bankruptcy filing for Verity by billionaire owner Patrick Soon-Shiong. Soon-Shiong essentially used Verity to enter agreements with other companies he owns to extract money from the company and then just file for bankruptcy. We are going to have conflict with Verity.

He then turned his attention to Dialysis and noted that just last week SB 1156 passed the State Assembly by a vote of 44-19 and would be headed to Governor Brown's desk. He noted that DaVita had told Wall Street Analysts in the morning on the day of the vote that they were 100% confident SB 1156 would not

make it out of the Assembly. It turns out they underestimated the will and commitment of our leadership.

With respect to Prop 8 we believe the Dialysis industry is willing to spend close to \$100 million dollars to defeat the initiative.

He then turned the conversation to Stanford who is trying to beat down our membership who is fighting for fully paid health care. Their mistake is they are trying to target a traditional labor union but we are a workers organization and we are going to win Stanford.

He then discussed SEIU-UHW's efforts with healthcare workers in Arizona. He mentioned **John Paul – ER Tech Dignity** who came to leadership assembly where he met another ER Tech with 4 years of experience who is paid double what he makes in Arizona and John Paul pays \$650 per month for healthcare.

So we are going to build a committee of 130 healthcare workers and we are going to organize and we will introduce a ballot that will improve the standard of living for healthcare workers in Arizona. We are going to be the Union that brings the fight to Right to Work.

In the afternoon session, **Dave Regan** welcomes newly elected members of the executive board. The new Executive Board members were greeted by those in attendance with wild applause. The newly elected members then took the Executive Board Installation Pledge. A quorum was present.

Dave Regan then outlined the agenda of the session:

1. Approval of Minutes
 2. Mid-year Financial Report
 3. Fairness Project Resolution
 4. Leadership Assembly
 5. Creation of Wildfire Fund
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1. Approval of minutes
 - a. There was a motion and second to adopt the minutes from previous E-board
 - b. Discussion: **Gabe Montoya – Kaiser Downey** offered a friendly amendment to include in the minutes that at the previous meeting there was a tribute to Irene Botello of the Community Division who had passed away earlier in the year.
 - c. A vote was called. The Ayes had it. The Motion was adopted.
 2. Mid-Year Financial Report – Stan Lyles and Finance Committee
 - a. **Stan Lyles SEIU-UHW Vice President** extended his greetings to the committee and projected that it was going to be a good year. Stan and Members of the Finance Committee presented on the following items:
 - i. 2018 Independent Audit Report
 1. Finances present fairly
 2. UHW is fiscally sound
 3. Well positioned to meet organizational needs
 - ii. Budget

1. 2018 Budget was based off of 94,000 members. In that time the membership has grown to 99,000.
2. Janus Impact
 - a. There are 4,000 UHW members in Public Sector
 - b. As of this year Janus has had no fiscal impact in those facilities.
3. Strike Fund
 - a. To prepare for 2019 the strike fund was increased from \$10 million to \$11.8 million
4. Wildfire Relief Fund
 - a. Approximately 25-30 of our members have experienced total losses as a result of California Wildfires. The Finance Committee is planning for the creation of a wildfire relief fund.
- iii. Resolution 27-18 (Fairness Project Resolution) – Extension of Loan of \$3,000,000 to Fairness Project
 1. There was a motion to adopt which was seconded
 2. Discussion:
 - a. **Stephanie Pahwa** - Kaiser Santa Rosa – I don't see how we can afford not to do this. This work has helped to unify the democratic party in a way that it hasn't been unified before.
 - b. **Gabe Montoya** – Kaiser Downey – I support this. Some of these states where the Fairness Project has seen success used to be union strongholds that forgot to organize. We can't rely on any party to do the work of the Union.
 - c. **Darren "Tree" Wallace** – Kaiser LAMC– I want to point out all of the past successes of the fairness project and all of the lives improved as a result of these efforts.
 - d. **James Dade** – Kaiser Richmond – I support this resolution
 - e. **Heidi Hanson** – Mercy San Juan – I went to Nebraska to help with Fairness Project campaign. And I can attest to the work the Fairness Project is doing and I support this resolution
 - f. **James Ellison – Kaiser** – I want to express my concern that we may be spreading our resources to thin. I support helping out with this cause but am leaning towards dissenting.
 - g. **Will Rosenburg – Kaiser** – talked about the importance of charity and building a better world which is what the Fairness Project was created to do just that. This is an example of the highest level charity contemplated by the religion of Judaism
 - h. **Linda Cornell – Stanford** – Is the SEIU International contributing to the Fairness Project?
 - i. **Dave Regan** – So far the SEIU International Union has not contributed to the Fairness Project but I want to emphasize that the Fairness Project was started to counter two disturbing trends in the United States. 1) the decline in Union membership and 2) the rising level of poverty across the country.

