

April 4, 2008

Andy Stern
SEIU
1800 Massachusetts Ave., NW
Washington, DC 20036

Dear Mr. Stern,

I've worked as a Medical Assistant at Kaiser Permanente for the past 30 years, am a Shop Steward and Representational Chairperson at my facility, and am a member of UHW's Executive Board. From my many years of work in our union, I've learned that honesty and trust are fundamentals for building a strong union.

Sadly, my co-workers and I are quickly learning that we can't trust anything you say. It's clear that you're willing to distort reality and fabricate lies in order to wage your ongoing attack against our union.

The most recent example of this is your rewriting the history of UHW's involvement in the struggle by security officers who are trying to organize a union at Kaiser Permanente facilities in California. These officers, who are employed by a subcontractor called Inter-Con Security Services, are responsible for protecting Kaiser facilities where UHW members work.

On your website (www.SEIUfactchecker.com), you make outrageous and unsubstantiated claims about our union:

- that UHW has failed to assist Inter-Con security officers.
- that UHW ignored repeated requests for help by security officers, who have been waiting for "over a year" for UHW's assistance.
- that UHW is "elitist" and interested in "just us" rather than "justice for all."
- that UHW "looks the other way when employers contract out some jobs and services at lower, nonunion wage and benefit rates" in order to "leave more money for current members."
- that UHW practices "two-tier unionism."

In your efforts to whip up anger against UHW, you even dip so low as to play the race card by claiming that UHW's elitist and selfish approach is depriving a largely African-American security workforce of better wages and benefits. I wonder if you understand how offensive these claims are to me and my Kaiser co-workers, or if you understand that 70% of UHW's Kaiser membership are people of color.

What's the truth about UHW's efforts to assist security officers? The facts provide a very different history. As you know, UHW has been engaging Kaiser officials on this issue for nearly three years. Our efforts have yielded some substantial accomplishments, including convincing Kaiser to forego its legal right under federal labor law to insist that SEIU not be the representative of the security officers.

At the same time, we've been extremely frustrated at Kaiser's failure to finally resolve the issues surrounding the officers. Kaiser officials have given excuse after excuse for their inaction. They

have rebuffed not only our requests, but also your direct requests to top Kaiser officials. Only now that the security officers have threatened to strike is Kaiser finally listening. UHW wholeheartedly supports the officers' strike and mobilized hundreds of our members to support officers' picket lines and rallies today.

The attached chronology describes the main actions that UHW has taken since June 2005 to assist the officers' organizing campaign. A range of UHW leaders – from worksite and staff leaders to our union's elected officers – have taken dozens of actions that include direct outreach to Kaiser officials, legal assistance, arranging and conducting meetings with Kaiser officials, carrying out worksite actions and others. On multiple occasions, staff leaders from SEIU and SEIU Local 24/7 have expressed great appreciation for the efforts of UHW. For example, Jono Shaffer told Sal Rosselli in an email: "Thanks for moving so aggressively on the security contract issues with Kaiser!!" The attached chronology has more details.

These facts directly contradict your unfounded claims about UHW. You should also note that for some period of months, you directly instructed UHW's President Sal Rosselli to stop all of UHW's efforts to engage Kaiser on the Inter-Con issue because you yourself were going to take responsibility for engaging Kaiser. Is it fair for you to criticize UHW for doing too little during these months given that you asked us to do nothing?

I ask you to correct your website. The public deserves to know the truth.

Unfortunately, all of us are learning how willing you are to sacrifice the truth in order to gain political advantage in your attack on UHW. You've made a whole series of outrageous allegations against our union that range from the laughable to the ridiculous: that we've failed to organize healthcare workers in California, that we've failed to support organizing efforts in other states, that we conspired with the CNA to undermine the Catholic Healthcare Partners organizing campaign in Ohio, that we've failed to assist security officers at Kaiser, that we're failing our members in their current bargaining campaign, that we're conducting "purges" of our members... What's next? It's clear that you're becoming increasingly desperate in your effort to slander our union and undermine support for it.

Our national union deserves better than this. I'm truly fearful about the example you're setting for our union and what it means for our collective future. I ask you to consider these things, and your responsibility to our union's members, before you continue your campaign of lies, slander and political assault on a union that many of us have proudly built for decades.

Sincerely,

Mary Ellen Garcia

cc: SEIU International Executive Board

Chronology of UHW Actions to Assist Inter-Con Security Officers' Organizing Campaign

June 2005: Will Clayton (UHW) arranged and attended a meeting with Leslie Margolin (a National VP of Kaiser Permanente) and Jono Shaffer (SEIU) to discuss Inter-Con issue. We described Inter-Con's anti-union behavior and asked for Kaiser's support. Margolin committed to get back to us.

July 2005: Will Clayton (UHW) arranged and attended a meeting in Manhattan Beach with Tony Wagner (KP National VP of Labor Management Partnership), Judy Saunders (KP National VP of Human Resources, LMP), Leslie Margolin and Jono Shaffer. We spoke of the continuing problems with Inter-Con. Jono presented Kaiser officials with a legal analysis that supported our efforts. Margolin promised to validate the analysis with Kaiser attorneys. Kaiser management committed to getting back to us after the conclusion of national bargaining between Kaiser Permanente and the 30 local unions that represent 90,000 Kaiser employees.

February 2006: Will Clayton (UHW) submitted to Tony Wagner (KP National VP of Labor Management Partnership) a request for information about Inter-Con in order to better understand the relationship between Kaiser and Inter-Con. We received no response. Tony Wagner told us that Kaiser's legal department instructed him not to respond to our request.

March 2006: Will Clayton (UHW) arranged and attended a meeting with Judy Saunders, Tony Wagner and Jono Shaffer. Kaiser officials said they had legal concerns about having the same union (SEIU) representing security officers as well as Kaiser employees. In a March 14, 2006 email from Eric Lerner to Andy Stern about UHW's efforts with Kaiser officials, Eric notes: "Sal has been helpful."

April 2006: Will Clayton (UHW) arranged and attended a meeting with Judy Saunders, Tony Wagner, Eric Lerner (SEIU 24/7), Deirdre Lehn (SEIU 24/7) and ten security officers. The officers provided accounts of numerous improper actions by Inter-Con.

April 2006: Sal Rosselli (UHW) directly reached out to Lon O'Neil (KP National VP of Human Resources) in an effort to move Kaiser officials.

May 11, 2006: Jono Shaffer (SEIU) wrote in an email to Sal Rosselli (UHW): "Thanks for moving so aggressively on the security contract issues with Kaiser!!" Sal also arranged for Jono to receive the assistance of UHW's attorneys on various issues related to the security officers.

May 22, 2006: Sal Rosselli, Will Clayton and UHW's attorney met with Jono Shaffer in Oakland to discuss the Inter-Con issue. In an email to Sal Rosselli as well as various SEIU staff, Jono Shaffer wrote: "Sal - thanks again for taking this on so strong!"

May 25, 2006: Security officers and UHW members conducted a worksite action at Kaiser San Rafael to support the officers' efforts. In an e-mail report on the action, Deirdre Lehn (SEIU 24/7 Organizer) wrote: "Today we had a great worksite action at San Rafael Kaiser. Security officers and UHW members delivered petitions calling for better payroll practices to Inter-Con management and Kaiser administration. We were able to sit down with the Support Services Assistant Administrator for 30-40 minutes and lay out all the concerns with security standards

and Inter-Con.” Lehn concludes her email by saying: “Thanks to Will [Clayton] and Leah for great work on this!”

May 27, 2006: As a result of Sal Rosselli’s request, Bernard Tyson (KP National Senior VP) met directly with the CEO of Inter-Con.

June 2006: Security officers, along with UHW members employed at Kaiser, participated in various worksite actions in non-public/non-patient care areas with Inter-Con security guards. These included sticker actions and delegations to hospital administrators and security directors. In September, SEIU 24/7 filed a wage-and-hour class action lawsuit against Inter-Con.

June 19, 2006: Sal Rosselli (UHW) delivered a letter to Bernard Tyson (KP National Senior VP) in which he stated: “Inter-Con seeks to prevent its employees from joining SEIU. This violates values of the partnership between Kaiser and its unions. If Inter-Con will not let its employees join SEIU, then Kaiser should exercise its option to replace Inter-Con with a responsible contractor. Please let me know what steps Kaiser is prepared to take.”

September 2006: Sal Rosselli (UHW) again communicated directly with top Kaiser officials on the Inter-Con issue.

November 2006: Sal Rosselli (UHW) conducted a conference call with Eric Lerner (SEIU 24/7) and Jill Hurst (SEIU) regarding Inter-Con.

December 1, 2006: UHW attended an event at Inter-Con’s headquarters in Fairfield, California to support officers as they presented a representational petition to the company.

November 2006 - March 2007: Sal Rosselli (UHW) initiated various discussions with Lon O’Neil (KP National Senior VP of Human Resources), after which O’Neil promised to quickly resolve the issue of security officers’ unionization.

March 2007: Sal Rosselli (UHW) made two interventions with top Kaiser officials regarding Inter-Con.

April 2007: Sal Rosselli (UHW) held face-to-face meeting with Kaiser’s CEO to discuss the Inter-Con issue.

April 2007: Andy Stern made direct outreach to Kaiser’s CEO.

June 2007: Sal Rosselli (UHW) made additional outreach to Kaiser officials regarding Inter-Con.

October 2007: Sal Rosselli (UHW) conducted conference calls with SEIU staff on Inter-Con issue.

January 2008: Sal Rosselli (UHW) communicated directly with Paul Records (KP National VP of Human Resources) regarding the Inter-Con issue.

January 2008: Sal Rosselli (UHW) and Will Clayton met with Andy Stern in Los Angeles to discuss next steps on Inter-Con.

February 2008: Will Clayton (UHW) held a meeting with Paul Records (KP National VP of Human Resources) in an effort to address the issue of security officers' unionization efforts (Paul Records is Lon O'Neil's replacement). In that meeting, various issues were discussed such as the timeline for Kaiser's RFP process, as well as the need for a responsible contractor and a safe environment for organizing.

March 13, 2008: Tony Maldonado (a SEIU 24/7 organizer) and two Inter-Con security officers came to my facility's Steward Council meeting at the Kaiser Hayward Medical Center. The security officers updated us on their fight and afterwards I and about 20 UHW stewards marched with them to administration to deliver a petition.

March 20, 2008: Sal Rosselli (UHW) wrote an email to Andy Stern asking that Locals 24/7 and 1877 keep UHW informed of plans to file a 10-day notice so that UHW could organize support for officers' action.