

# *The Key to Economic Progress for America's Working Families:*

## *Restoring the Freedom to Form Unions*

### *Transcript of Lori Gay and Rita Chitwood's Remarks*

**Gerron Levi**, Deputy Director for the Department of Legislation, AFL-CIO: I would like to invite the workers up – Lori Gay from Utah and Rita Chitwood from North Carolina.

Since the first day that I came to work in the labor movement, I have never forgotten one simple advertisement that I saw many years ago. I have always thought that it simply and eloquently communicated the power of the collective voice of working people in this country. It was called the AFL-CIO rolling ad. I don't know if any of you have seen it but I will try and share it with you.

Try to picture for a moment in your mind the following rolling down a television screen: "the eight hour day," "paid sick leave," "higher wages," "health insurance," "overtime pay," "pensions," "safe working conditions," "paid holidays," "job security," "severance pay," "paid vacation" and "maternity leave." At the end, the ad said: "The proceeding was brought to you by the men and women of the unions of the AFL-CIO who won these benefits at the bargaining table and set the standard for all Americans." I think that simply just states what most workers think about when they think about unions.

Some 42 million non-union workers say they want to be part of a union and the reasons are very clear. Based on DOL employment and earnings information, union jobs pay 27 percent more than non-union jobs: \$760 per week compared to \$599 per week. The wage advantages are even greater for African-American, Latino and women workers. Union workers are 53 percent more likely to receive health benefits through their job. Seventy-five percent of union workers have that insurance through their jobs compared with 49 percent of their non-union counterparts. Union workers are nearly five times more likely to have a guaranteed defined benefit pension. Sixty-nine percent of union workers have that type of pension plan compared to 14 percent of non-union workers. Despite the fact that millions of workers would like to be part of a union, the obstacles to actually achieving a union are formidable. Illegal firings, intimidation, job threats and other tactics are all too common. Today we have two workers with us who are going to share their experiences trying to organize a union in their respective work places.

We have Lori Gaye, a registered nurse for 18 years at Salt Lake Regional Medical Center. She is currently trying to form a union with the United American Nurses. More than 18 months after that effort began, after 200 registered nurses at the medical center voted in an election conducted by the National Labor Relations Board, the ballots remain uncounted. We also have Rita Chitwood, who has worked for 20 years in the auto industry. She is one of 750 freight line workers at a plant near her home in Gastonia,

North Carolina. After a contentious organizing campaign (she will go into some detail about it), the workers were finally able to win a card check agreement with their employer – only to wait well over a year for their first collective bargaining agreement. With nothing further, I would like to turn it over to Lori Gaye to tell her story.

**Lori Gay:** Good morning. Thank you for the opportunity to be here today. My name is Lori Gay and I'm a registered nurse at Salt Lake Regional Medical Center in Salt Lake City, Utah. It has been over two years since the nurses at the Medical Center decided to form our union with the United American Nurses.

Nurses want to form unions to protect our patients and ourselves from management making decisions about health care based on the bottom line. Nurses are asked every day to do more with less. We need to have a protected voice on our working conditions. This is why nurses whom I work with decided to contact the United American Nurses.

Following eight months of campaigning, an election was held in late May 2002. Nearly 200 registered nurses at the medical center voted. However, the ballots remained uncounted now two years later. We have been kept waiting far too long for the results of our vote. The hospital's owner, IASIS Healthcare, immediately appealed the election – first to the regional office of the National Labor Relations Board and then to the National Labor Relations Board in Washington, D.C., which agreed to review the case and impounded the ballots. With this excessive delay, the National Labor Relations Board is in effect denying our right to choose union membership. This is not how elections should work in a free and democratic society.

The freedom of workers to join together in unions and to bargain collectively is a fundamental human right that U.S. labor law guarantees in principle. But when workers seek to exercise this right today, they nearly always run into a web of employer threats, intimidation, coercion and outright warfare. These employer tactics are designed to suppress workers' freedom to organize a union, which they do so with devastating effectiveness. Nurses at Salt Lake Regional Medical Center have experienced first hand many tactics used by management to discourage organizing and suppress the freedom to form our union.

In an attempt to discourage nurses from organizing, IASIS management held offensive mandatory meetings in which we were forced to sit through one sided anti-union presentations. They required multiple one-on-one meetings with supervisors during which nurses were questioned on their views on the union and what their coworkers' views were. We were subjected to widespread predictions that the hospital would close if we were to form a union. Union literature was removed from break rooms. RN organizers were prevented with the threat of dismissal from passing out union literature in the hospital. Two operating room nurses, each with 20 years of experience, and originally responsible for organizing, were fired after management changed their positions to that of a supervisor. Flexible scheduling was threatened, raises based on cost of living or merit were also threatened. Three lawyers and a law union-busting firm were present in the hospital to portray the union as an outside force. Many pro-union nurses received

unfavorable assessments after years of shining performances. Security guards at the hospital were asked to keep an eye on certain RN organizers. The night before our election, the hospital sent out a memo claiming that they would fight us all the way to the Supreme Court to protect us from the union. The hospital's anti-union message was obvious, intentional creation of turmoil and disruption in the workplace was created by IASIS. Developing this strategy did nothing more than agitate nurses and worry fellow employees.

Not only are we in a health care crisis, we are in a nursing crisis. Poor working conditions, lack of control and respect on the job are causing nurses nationwide to leave hospital bedside nursing. Hospital floors today resemble intensive care units of the past with patients' conditions changing rapidly. The duties of care have increased significantly and patients are sent home sooner to decrease costs. Nurses are in the best position to know when they are stretched too far to provide quality health care. That's why United American Nurses negotiates specific, enforceable contracts with employers that give nurses a voice. Hospital patients fare far better when sufficient registered nurses are on duty, a reality frontline caregivers know all too well.

The freedom to choose a union is a basic human right. Denial of workers' freedom to choose a union has reached epidemic proportions. By forming a union, nurses can benefit from successful negotiating strategies and contract language to ensure quality patient care and safe practice conditions. We ask each and every one of you to support us in our fight for the freedom of workers to form a union to have a voice in the workplace. Thank you.

**Gerron Levi:** Thank you, Lori. Now we will hear from Rita Chitwood.

**Rita Chitwood:** Good morning. It's a pleasure to be here. My name is Rita Chitwood. I work at Freightliner Parts Manufacturing plant in Gastonia, North Carolina. I've been there for 20 years. My job is a spot welder, making piece parts for the truck manufacturing industry. We wanted to form our union because of our health benefits, our wage and pension plans. We wanted a voice in our work place and we wanted job security. Job security was a big issue because the company was always threatening us with sending our jobs to Mexico if we didn't perform the production that they wanted out.

Benefits, health benefits was a big issue. As all of you know, as you grow older, your health benefits, the medicine that you have to purchase gets higher and higher. Our families suffer through this and we watch our families go through not being able to afford their medicine. And as workers we provide for those families too – our grandparents who can't afford to live in the way that they had set up to live. They have no Social Security benefits, no health benefits. So I feel like it's a responsibility of mine to try to get that changed to where my benefits would be better when I grow older – that I'll have better benefits, that I'll be able to make it.

As we were trying to form our union, the company was responding with mandatory meetings also. The day before our election, the CEO of our company came and spoke

with us and again threatened us for sending our jobs overseas to Mexico. He threatened us with: “Our jobs were like a candle blowing in the wind. Just waiting for it to blow out.” At that meeting I felt that 20 years of dedication to that company was useless. It meant nothing to him. I felt no respect from the company for the work that I had done. My morale was down. I felt that the company was letting me down and we decided that we wanted our election. We had our election. We lost by 20 votes because of the supervisors – the company had put supervisors in workers’ positions in the plant and they voted against the union. The union challenged the election because of the company rigging the vote.

We waited more than one and a half years before the charges were addressed to the employees – to the fact that they had been embarrassed by the charges that we filed. They agreed finally to a card check procedure, which benefited us. It was a private election to the employees of the company. We weren’t subjected to a company-based office where we were watched, where we were going to vote. People knew where we were going and what we were going to do. The supervisors then harassed the people, singled out the people that were voting at that time and threatened their jobs. Through the card check procedure it made a difference. It made a difference to all the employees – they had the freedom and a voice to their own opinion without company influence. And because of the card check we won our union. After we won our union the employer worked with us. We negotiated a contract. We had a way to deal with the problems through a three-step grievance procedure. Management could not ignore us then. We have a voice in our workplace.

I’ve worked for Freight Liner for 20 years. I like my job and I need my job. But I wanted the company to treat me better and with respect. Before the union, supervisors treated employees differently. If they liked you, they would promote you to higher positions in the company. They would allow you to go in groups, and single, and talk about the union – ways to not want to form the union. They would allow the workers to tell on each other. The union supporters who were coming back from breaks late – simple little things like that.

If they didn’t like you, they would harass you. They would harass you about your production. They would threaten you again. The union helps us all by being treated fairly. Women and men working beside each other are paid the same wages. Our contract helps us at work and we are better workers because we know we are being treated fairly.

Again, card check works. Employees have their own private vote through this process. I have been elected as shop steward and I am proud to stand up for our rights in our workplace. Thank you.

**Gerron Levi:** Thank you. Those are really very compelling stories. For us here in Washington, we don’t get to see it up close and personal. So we really rely on you to come and tell us the story – what is really going on a lot of times.

Lori, you mentioned that your election was challenged and is now waiting for a decision by the National Labor Relations Board. How long have you been waiting?

**Lori Gay:** Two years.

**Gerron Levi:** Two years? I was just wondering how that has affected the morale of the workers at your workplace.

**Lori Gay:** I would be lying if I didn't say that the morale is down. Of course, we do not want management to know that morale is down. But, morale is down. But the experience of organizing the union – at the beginning it was wonderful. The nurses from all the units got to know each other and it really gave us some power in the hospital. I think that power is still present in the hospital. We are just fighting really hard. We are having informational picketing in front of the hospital, asking IASIS to withdraw their appeal. I used to send out monthly newsletters, but now it's gotten down to every six months I send out a newsletter. So, we are trying to keep the morale up. But you know that's exactly what the hospital wanted to do, to stall it, so that the nurses would lose interest. And it does work for them to stall, and people lose interest. We are still trying to fight and keep up the good spirit.

**Gerron Levi:** But some momentum has...

**Lori Gay:** Oh, momentum has dropped. Yes.

**Gerron Levi:** And Rita, you really described with some detail how contentious it was in the workplace when you first started to try to form the union. There was a lot of employer pressure.

**Rita Chitwood:** Oh yes. Very much so.

**Gerron Levi:** Just with simple things. What was the card check process like?

**Rita Chitwood:** It was much better for the employees. Management had designated an office space inside our plant to hold our election. When people went to vote, they knew who exactly those people were. And those people were singled out and harassed by our fellow employees and management, just unnecessarily. A lot of stress was put on those workers that voted for the union. It's an unnecessary process that you would not want to go through. Nobody should ever have to go through the kind of stress that management would put on you just to exercise your right to form a union. It's really a bad ordeal to go through. Along with working your everyday life, you go home and you have to deal with the effects on home life. It puts stresses on family members and on all that put on the employees, going to work, plus the employer putting a lot of pressure on you. It does bring a person way down. You feel useless, you feel like your hands are tied. You just can't do anything anymore. You feel: "What's the use of doing anything?" They are telling you that you are just a useless employee and you are going to have to go by my rules, or you'll go out the door.

**Gerron Levi:** But the card check agreement process did improve those conditions. People felt freer?

**Rita Chitwood:** Yes, it did. During that process each employee that wanted to sign a card, they had the right privately to get the cards from their shop stewards, from the union organizers and they signed the cards, in private, so they could take them home and sign them. It was not an overseed procedure that they went through. It was much better. The pressure was off the people. We had more card signers then: I think it was very effective.

**Member of the Audience:** May I ask, what was the difference between the card check total and the vote that took place... (indistinguishable). You lost by 20?

**Rita Chitwood:** Around twenty. Those twenty that we challenged because of management putting supervisors in positions, and charges against supervisors, against employees. The card check resulted in 65 percent of the employees voting for the card check.

**Member of the Audience:** What was the name of your union?

**Rita Chitwood:** United Auto Workers. And we're proud.

**Member of the Audience:** How did management know who was voting for the union and who was voting against it?

**Rita Chitwood:** They had at the election table; they were one union representative and one management representative. When the people came in to vote, management had a list of all the people that worked there. The union had a list of all the people that worked there. So each side knew who was voting and the person who management put in, reported back to management who came in and cast their vote.

**Member of the Audience:** Are the physicians still supportive (rest of question indistinguishable)?

**Lori Gay:** The physicians are very supportive. The physicians are frustrated that their patients aren't being taken care of.

**Member of the Audience:** Both of you work in right-wing states. I'm just curious with Rita who now has a contract, not all workers have to be union in your shop. How do you handle that?

**Rita Chitwood:** I treat them the same. They have the same rights as union members. If they have problems, that's my job. That's why I was elected to serve them. They have the same rights as anyone else. Even though they haven't signed the card, the representation is there for them and we try to show them the difference that it would make being represented than facing management on your own.

**Member of the Audience:** How many have joined?

**Rita Chitwood:** We have around 600 and something members and our plant has 800 employees. (Applause)

**Member of the Audience:** We're sitting here in Washington talking about legislation, talking about...can people in Washington do to help people on the ground. But from your perspective, what can we do to in terms of...

**Rita Chitwood:** I feel like a lot of the people in the workplace have the idea that if they do want to voice their opinions that they will be persecuted for it. Without any kind of protection – I think that's what they need. They are looking for some kind of law, something that will protect these people and say: "It's okay. You can do this." And have the management and the supervisors uphold it.

A lot of the people in the workplace, the management agrees to it, but they do not really uphold the decision. And they are persecuted for taking that step and wanting a voice in the community, in the workplace.

**Gerron Levi:** Even though you have the card check agreement, it still took you quite some time to negotiate your first contract, right?

**Rita Chitwood:** Yes, it took over a year before we did get our contract. We are still hitting the high notes on it. We are trying to rub off a lot of the problems. We are getting there. It's our first contract. It's tough, as you all know. The first time around, we're new at it, we're trying to improve it, we're trying to work together.

With our new contract, we also have a provision where the laid off workers at the Mt. Holly plant are offered first choice in being employed at our plant before they hire off the street, so they have a recall right – laid off workers. I think that's very important.

**Lori Gay:** I feel like we've had a lot of support in the community in Salt Lake City: people have attended our informational picketing; the newspapers have put things in the editorial regarding our campaign; Utah Jobs for Justice has been working for us. I feel very fortunate and feel like we've had a lot of support. The only thing I would add is that everybody to respond to your e-mails that you might receive on overtime protection and just stay up to date with what's going on in the labor force. Thanks.

**Gerron Levi:** Thank you everyone.