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Federal Jury Finds That Former SEIU-UHW Officials Sal Rosselli and Others Sabotaged and Undermined Union Members, and Used Members' Money to Start Rival Union

FOR IMMEDIATE RELEASE

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The Truth Comes Out: 16 Defendants and NUHW Ordered to Pay Total More than \$1.5 Million in Damages

SAN FRANCISCO - Members of the Service Employees International Union - United Healthcare Workers West (SEIU-UHW) expressed joy and relief today as a federal jury found Sal Rosselli and 15 other former officials of SEIU-UHW liable for their scheme to sabotage the union and use the resources of SEIU-UHW members to start their own rival organization.

The federal jury ordered the individual defendants to pay \$854,150 in damages to the members they betrayed. The jury also ordered NUHW to pay \$724,000 to the members of SEIU-UHW.

For members who attended the trial, the revelations were shocking.

"They lied to us. They stole from us. They put our contracts and our families' financial security at risk, and they got caught red-handed," said Erica Boddie, a Sr. Receptionist and Labor Tri-Chair of the Workplace Safety Committee at Kaiser San Francisco. "Today the world knows without a shadow of a doubt that they are undemocratic and willing to work directly against members' interests for their own personal power. They aren't union reformers, they are union busters."

The evidence presented at trial revealed:

- A scheme to undermine the well-being of union members.
- The theft and destruction of union documents and property.
- A conspiracy to use SEIU-UHW's money and other resources to start a rival union, even if it meant harming the very members whose interests they claimed to represent.

The jury unanimously found Rosselli, his top lieutenants John Borsos, Barbara Lewis, Ralph Cornejo, Fred Seavey, Dan Martin, John Vellardita and the others liable.

The verdict came after 10 days of testimony in federal court in San Francisco before U.S. District Court Judge William Alsup. SEIU-UHW and SEIU, the international union, filed the lawsuit on behalf of members.

"It's a great day for the members of our union because now we have the truth," said Mary Harms, a home care worker from Contra Costa County and an SEIU-UHW member who attended the trial. "With this verdict they can no longer lie about the harm they did to us before they were kicked out of office. Now members can move forward and take on the serious issues we face on the job, confident that we are better off leaving these former officials far, far behind."

"Today we have a clear public court decision laying out what they did for everyone to see," said Bob Lewis, an SEIU-UHW member who works at St. Mary's Medical Center in San

SEIU and outside of NUHW - that the defendants are in fact the undemocratic and power-hungry people we thought they were."

The evidence presented in court revealed among other things:

- **Conspiracy:** Rosselli and the other defendants' conspiracy began with secret meetings as early as 2007 - years before the trusteeship - in which they strategized how they would smear SEIU, resist democratic decisions made by the International Union, and launch a new union using the resources of SEIU-UHW.
- **Stolen lists:** Rosselli and the other defendants developed secret databases and planned to set up computers to connect with the union server without the IT department knowing. They also established a private e-mail system to communicate about the conspiracy without being detected or leaving incriminating emails on the SEIU-UHW servers.
- **Stolen and destroyed documents:** The defendants secretly took and destroyed bargaining and grievance documents needed to protect members' rights and support their fight for raises, healthcare and other benefits.
- **\$3 million slush fund:** Rosselli and the other defendants moved \$3 million of SEIU-UHW members' money off the books into slush fund until they were caught by the International Union and forced to return what they hadn't spent.
- **Lifetime appointments to the union's training fund:** Rosselli and the other defendants rewrote the bylaws for the \$20+ million SEIU UHW-West & Joint Employer Education Fund - a fund to provide job training to union members - to place themselves in permanent control and taking the power to control the fund away from SEIU-UHW members. They admitted that they neither sought the permission of nor informed the members of SEIU-UHW. The judge held a separate hearing on this issue and will rule soon.
- **Violence and intimidation:** Witnesses on both sides testified that Rosselli and his followers used violence and intimidation as part of their desperate attempt to hold onto power.
- **Using members as shields:** The defendants used members as a proxy for efforts to violate the SEIU-UHW and SEIU constitutions, such as drafting, circulating and promoting a union-disaffiliation petition at the same time they declared it a "bottom up, grassroots" effort. A Washington DC lawyer they retained specifically recommended that they hide and "launder" their activities through members.
- **Making SEIU-UHW "ungovernable:"** Defendant Barbara Lewis wrote a memo in the fall of 2008 about how to use members to "create an ungovernable situation" and sabotage their own union in order to make SEIU-UHW look bad just as they were starting their rival union. Many parts of the memo were carried out to the letter.
- **Contract extensions canceled:** Members were kept in the dark about critical decisions such as having their contract extensions severed by defendant John Vellardita days before the trusteeship - a move that left members without job protection in the midst of California's worst economic crisis in decades. They canceled the contracts so they could turn around and try to decertify the homes.

"The members can now move past the NUHW propaganda. If every member had heard what we've heard after two weeks in the courtroom, they would have come to the same conclusion as the jury," said Rudy Vallin, a nursing assistant at Seton Medical Center in Daly City and an SEIU-UHW member. "It's time for us to move forward and do the work of building a strong union."

BACKGROUND ON THE CASE

Rosselli and other top officials were removed from office in SEIU-UHW on January 27, 2009, when the local was placed in trusteeship. They were found to have misused millions in members' dues money and violated members' democratic rights. The following day they formed a new organization called the National Union of Healthcare Workers (NUHW) and immediately began trying to convince SEIU-UHW members to switch to their new group. So far, more than 95 percent of SEIU-UHW members have chosen to stay in their current union.

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ABOUT SEIU-UHW

the western United States with more than 150,000 members. We unite every type of healthcare worker with a mission to achieve high-quality healthcare for all. SEIU-UHW is part of the 2.2 million-member Service Employees International Union (SEIU), the nation's fastest-growing union. Learn more at www.seiu-uhw.org.

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