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March 6, 2008

Tyrone Freeman, President  
SEIU Local 6434  
2515 Beverly Blvd.  
Los Angeles, CA 90057

RE: Upcoming Nursing Home Negotiations

Dear Brother Freeman:

I have reviewed your March 7, 2008 letter to Sal Rosselli that was received on March 5, 2007. Your letter is filled with misinformation and false accusations. I am not sure if you have not been properly informed by your staff on the issue you cite or that there is another reason that causes you to write such a letter. But let me quickly respond and then make a proposal.

First, there have been no secret meetings as you allege. In addition there have been no meetings with employers where negotiations have taken place. The meeting we had with employers was the same type of meeting you had with them - at their request. And for the record, any meeting we have had has been with full knowledge of and with participation of members and under the approval of our members and UHW's Nursing Home Division Steward Council. Our members are involved in any decision making regarding employers from start to finish.

UHW has not and will not have secret meetings with employers under any circumstances - we have no need to. We are currently engaged in a historic campaign for bargaining in the health care industry in California covering over 77,000 workers in both the acute care and long term care industries in over 200 facilities. The whole world knows this. But I will come back to that campaign in a moment.

At the last Alliance meeting in November 2007 employers had a discussion with me and Will Hirst, Local 6434's director for nursing homes, about setting up discussions in advance of upcoming 2008 bargaining. Employers were very clear - by having any discussions they were not agreeing to 'multi-employer' bargaining. In fact, at that November meeting employers asked us if we would do these meetings jointly with your local, to which we said yes. I confirmed this with Will Hirst at that same meeting. However, he stated that your local would have to think about that and get back to us, but he believed that your position would be to have a separate meeting with operators in southern California. In a subsequent conversation I had with Will he confirmed this approach and the same employers who initially approached us confirmed this as well.

Tyrone, I have communicated with Will several times each month every month since last November about the 2008 bargaining. Each time I initiated the attempt to discuss how we work together for our contract negotiations. The last meeting I had with Will regarding this issue was February 29, 2008. He said your local could not commit to do anything jointly because you were

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Sal Rosselli, *President*

Jorge Rodriguez, *Executive Vice President*

Joan Emslie, *Secretary-Treasurer*



working on a legal angle over this issue. When I asked him what that meant, he shared with me your deliberations over how one can proceed separately in bargaining where we have a master contract or single bargaining unit with employers. In fact, he shared with me discussions your local has had with employers regarding that issue as well. In all of my discussions with Will Hirst about working together on bargaining, I have kept him informed of any and all relevant discussions we have had with operators.

Finally, regarding the January meeting you cite in your letter, I actually reported out at the December 2007 Long Term Care Steering Committee meeting when I gave a report on UHW's acute care industry relationship and how they related to our upcoming bargaining in nursing homes. The focus of any discussions that we have had with these employers has been our acute care relationship and getting the most up to date financial data regarding AB 1629 funding as it relates to facilities UHW represents. The other accusations you have made are simply not true.

So let me now turn to moving forward. I am writing to you about the upcoming bargaining that both of our locals have this year, specifically, contracts with an expiration date of June 15, 2008 where we share a common employer in those collective bargaining agreements. Those employers are Kindred Nursing Centers, Covenant Care, Sava Senior Care and SunBridge Healthcare. Recently I had a discussion with Will regarding this subject, and he was unable to give me any response related to this. I now am reaching out directly to you.

I would like to propose that both our locals coordinate bargaining. We can extend that approach to all of our bargaining if you are interested. That way we can speak and act as one voice with the nursing home industry. We have over 100 facilities with contracts expiring and we are coordinating our work with our Hospital Division. Will shared with me that you have approximately 50 nursing homes up for bargaining. Or we could simply make the focus the above mentioned employers and those contracts covering the respective facilities.

In either case we can do this in a couple different ways. We can convene one negotiation table for each of those four employers. At each table we would have our respective bargaining committees, have common proposals (except where they may be facility-based proposals), negotiate and reach TAs until we reach a complete agreement for all facilities affected for both locals. Or we can convene separate negotiation tables with each employer with each local negotiating its own table but the two locals coordinating the bargaining in the same fashion outlined above. On other issues related to bargaining we would suggest the following:

- on legislative or political activity: we would propose that we collectively agree to any legislative or political activity that both locals felt were relevant to successful negotiations, in coordination with the SEIU California State Council;
- on member process, up to and including activities, mobilizations, work actions, etc; we propose that we jointly agree to a process for member involvement;
- on ratification: we propose that we follow the process we used last time since it worked effectively.

Please give some thought to our suggestions. It would be good to have both locals coordinate all of our bargaining, not just with four employers and their respective facilities with whom we have a contract. Our membership has been planning this campaign involving thousands of workers at

worksite meetings and multiple Steward Council meetings to formalize our campaign. In either event, I will await your response.

We believe we are in a position of strength by coordinating our campaign with our hospital division. We are confident that that strength will achieve higher standards of pay and benefits for nursing home workers that are closer to the acute care industry and achieve organizing rights to grow union density in the nursing home industry. We think it is in the interest of all long term care workers to gain from this advantage, regardless of what local represents them. We are also in a very unique position to bargain with hospitals and nursing homes about improving the standards of care for residents in nursing homes. We think that success would be incomplete if it were not extended to Southern California, where many of our hospitals and your nursing homes are located.

The number of nursing home workers combined with the number of hospital workers that we represent who are involved in this negotiation cycle demonstrates the strength that we have to achieve great things. We are very public about this campaign; there is no secret about what we are trying to accomplish. We have been planning this for years. That is why I have been reaching out to Will since last November to figure out ways to work with your local to take advantage of this opportunity and win for all nursing home workers.

As you know, UHW represents 75% of unionized nursing home workers in California. The strength and influence we have with this industry in bargaining given the contract opportunities before us is significant. We are now in a position to win for all nursing home workers in California important gains in bargaining that set new industry standards for pay and benefits as well as winning organizing rights to grow our numbers. The only question is how we use that strength most effectively. With the combined strength of both locals it can only enhance our chances of success. We would like to work with your leadership and Local 6434 to take advantage of this tremendous opportunity.

I suggest we set up a meeting to discuss this. I will await your response. Feel free to contact me directly on my cell at 510-289-2727.

In Solidarity,



John Vellardita  
Director  
SEIU-UHW Convalescent Division

cc: Sal Rosselli  
Andy Stern  
Gerry Hudson  
International Executive Board  
SEIU-UHW Executive Board  
SEIU Healthcare Council of Presidents