

# Backroom deals by US service unions strip workers of rights

## SEIU/UNITE HERE assume role of labor contractors

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19 May 2008

The recently disclosed secret deal between the Service Employees International Union (SEIU) in partnership with UNITE HERE and two large employer groups exposes the reality behind the much-touted organizing success of Andrew Stern, leader of the 1.8-million-member service union.

In exchange for a noninterference agreement at selected work locations, the two unions gave up the right to strike, to criticize management or to conduct informational picketing at work sites. The unions also surrendered the right to conduct organizing activity at work locations not specifically pre-approved by management.

The two employers involved, Sodexho and the Compass Group USA, provide contract workers to clients such as hospitals and universities. The agreement with the unions stipulated the number of workers at each company and the specific worksites that could be organized. An agreement with a third employer, Aramark, is being renegotiated.

The existence of the sweetheart deal came to light in an article published in the May 10 edition of the *Wall Street Journal*. The piece reported that, “since 2005, when the SEIU and Unite Here created a partnership to represent workers that provide food, laundry and housekeeping service on an outsourced basis, they have organized about 15,000 workers at Aramark, Compass and Sodexho, which collectively employ more than 300,000 people in North America.”

The *Journal* report is based on internal union documents. A summary report notes: “Local unions are not free to engage in organizing activities at any Compass or Sodexho locations unless the sites have been designated.” It advises that all information

regarding union-employer collusion be kept secret from workers, saying it is important “that we honor the confidentiality and not publicly disclose the existence of these agreements.”

The SEIU led a breakaway from the AFL-CIO in 2005 after precipitating a bitter and unprincipled organizational dispute. Seven unions—SEIU, UNITE HERE, United Food and Commercial Workers, carpenters, laborers and Teamsters—formed the Change to Win Coalition, promising a new dynamic approach to organizing. However, this has nothing to do with defending or improving conditions, but involves colluding with employers to impose union membership on low-paid workers, who are denied the right to vote on union certification and in some case don’t even realize they are joining a union.

The exposure of the attempt by the SEIU to set itself up as a kind of labor contractor has come to light in the midst of a bitter factional battle within the SEIU. One of Stern’s internal opponents, Sal Rosselli, who heads a large SEIU local in California, has recently criticized Stern for practices similar to those outlined in the *Wall Street Journal* article. He and fellow local officers are currently facing a drive by Stern and the national SEIU leadership to put their unit under trusteeship.

Rosselli came into conflict with Stern over renewal of a secret pact the SEIU set up in 2003 with a group of California nursing home chains. The deal swapped a noninterference agreement for a pledge by the SEIU to support higher state funding for their operations and an employer-sponsored “tort reform” law that would limit patients’ rights to sue for negligence. The SEIU also agreed to oppose any legislation on staffing levels that did not meet employer approval.

A report in the April 11, 2007, issue of the *San Francisco Weekly* based on internal union documents, exposed how the SEIU agreements with nursing home operators essentially codified an employer dictatorship. It explained that under the 2003 pact, workers entering the union would fall under “template agreements.” These stipulated that nursing home staff would be barred from reporting health and safety violations to regulators, public officials or the news media except where obliged to by law because of their egregious nature.

Further, the SEIU agreed that workers would have no input regarding hours, vacations, pay, layoffs, staffing levels or any other matter concerning their jobs. The article continued, “The employers may outsource work performed by union members, and speed up, reassign, or eliminate jobs at will. The employer may eliminate vacations, or any time off, as the employer sees fit.

“The agreement also guarantees that workers’ wages will not put an employer at an ‘economic disadvantage,’ either through employee pay, benefits, or through staff-per-patient rations.”

In other words, under the terms imposed by the SEIU, workers had far fewer rights than if they had no union. As one blogger noted, by pushing these kinds of deals, the union has become little more than “a dues collection agency much like a Mafia Protection Operation.”

The SEIU went on to use this arrangement as a model for organizing workers in Washington state and New Jersey. It also copied much of this model in its agreement with Compass and Sodexo.

The thoroughly undemocratic methods being employed by SEIU/UNITE HERE are not an isolated case. According to a report in the April 23 issue of the *New Republic* titled “Love’s Labor Lost,” other unions in the Change to win Coalition such as the UFCW and Teamsters are copying these tactics, noting, “Stern’s ideas have a wider laboratory than ever before.”

The United Auto Workers (UAW) negotiated a secret sweetheart agreement promising an inferior contract in exchange for employer non-interference at a Freightliner plant in Cleveland, North Carolina, in 2003. When the local leadership carried out a strike against the concessions contained in the deal, five officials were fired with the full support of the UAW.

The opponents of Stern within the SEIU do not

disagree in principle with the policy of union-management collaboration, they merely favor it be carried out in a less naked and obvious manner. For example, Rosselli supported the initial sweetheart pact with California nursing home operators, only raising objections when confronted with widespread anger among his membership.

It is indicative of the moribund state of the trade unions that some of the harshest criticisms of these methods, which amount to little more than company unionism, come from the pages of the *Wall Street Journal*.

These kind of secret union-employer deals point to the continued and deepening corporatist degeneration of the unions. The policies of the trade unions based on nationalism and unbridled labor-management collaboration are leading to outright company unionism. As the above cited examples indicate, the labor bureaucracy is assuming more and more the role of labor contractors, winning the right to extract dues from workers in exchange for serving as enforcers of labor discipline over a low-wage workforce stripped of elementary rights.



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