

Kaiser lawsuit exposes Labor Management Partnership as conspiracy against healthcare workers

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Nurses and healthcare workers in California and Hawaii are in the middle of the second week of the open-ended strike that began on January 26. The walkout by 31,000 Kaiser Permanente caregivers has broad support as workers everywhere recognize that far more than a contract struggle over wages and working conditions is at stake.

Along with the 15,000 striking nurses in New York City, Kaiser workers are the spearhead of an emerging working class movement against the corporate and financial oligarchy, Trump's dictatorial measures and the collusion of the Democratic Party.

Five days before the strike began, Kaiser Permanente sued the Alliance of Health Care Unions, alleging violations of the Labor Management Partnership (LMP). The 10-union alliance includes the United Nurses Associations of California/Union of Health Care Professionals (UNAC/UHCP), United Food and Commercial Workers, Teamsters, UNITE HERE and other striking unions.

The purpose of the lawsuit is to fragment negotiations, get unions to sign separate agreements and shut down the strike piecemeal. It is also a shot across the bow to the labor bureaucracy with an implicit threat that the stream of money the union apparatus receives through the Labor Management Partnership may be turned off if it cannot get its membership back in line.

Kaiser's primary demand is to be released from any obligation to negotiate a national agreement. Instead, it is seeking to end the strike on a workplace-by-workplace basis.

This is plainly stated in the lawsuit, which includes:

Plaintiffs request a judicial determination that Plaintiffs are excused or otherwise not obligated to engage in group bargaining for a national agreement with the Defendants

Plaintiffs respectfully request that this Court ...

award the following relief:

A. Declare that Plaintiffs have no obligation to engage in group bargaining for a national agreement with Defendants

Having long benefited from the corporatist relationship with the unions, Kaiser's lawsuit does not seek to dismantle the Labor Management Partnership. As the lawsuit states, "Plaintiffs do not seek rescission of the entire National Labor-Management Partnership Agreement and have narrowly tailored their prayer for relief to the issue of continued participation in group bargaining for a national collective bargaining agreement."

The lawsuit further alleges that union publications citing staffing ratios and poor working conditions amount to a violation of the Labor Management Partnership.

In section 12 of the LMP agreement, the parties agreed "to adhere to a set of norms and behaviors reflective of mutual respect, trust, and the Parties' joint commitment to creating a workplace culture of collaborative problem solving." Section 12 further provides that "actions detrimental to [the LMP agreement] may range from personal attacks to Union corporate campaigns," and the parties "shall endeavor to build and maintain mutually respectful and supportive relationships, built on honesty and trust."

Most significantly, the lawsuit suggests that the strike itself is a violation of the unions' partnership with Kaiser. "The Defendants' conduct deprived Plaintiffs of the benefit of labor stability, operational continuity, and business reputation the LMP agreement was intended to protect."

In other words, the unions' participation in the LMP, and the *raison d'être* of the LMP itself are expressly to suppress strikes ("labor stability" and "operational continuity") and defend the reputation of Kaiser Permanente. One must ask: what kind of organization claiming to represent workers would agree to such terms? Furthermore, can workers have confidence in such an organization to lead a struggle for workers' interests?

As the WSWS explained in a 2021 article, titled, "What is the Kaiser Permanente Labor Management Partnership," the LMP, established in 1997, was modeled on the corporatist schemes established by the United Auto Workers, the United Steelworkers and other industrial unions in the early 1980s. Corporatism "preached unrestrained class collaboration and promoted the lie that workers have no interests that are separate from, let alone hostile to, those of the corporate bosses."

In exchange for collaborating in the destruction of millions of industrial jobs and the gutting of workers' wages, pensions and working conditions, the UAW, USW and other union bureaucracies were handed positions on company boards and a portion of the hundreds of billions stolen from workers' income in the form of corporate stocks and other bribes. Over the last four decades, the artificial suppression of the class struggle by the labor bureaucracy resulted in an even further transfer of wealth to the top. At the same time, workers' share of the national GDP fell to the lowest level since the Labor Department began collecting statistics in 1947.

As reported earlier, Kaiser reported \$115.8 billion in operating revenue, \$12.9 billion in "net income," and nearly \$67.4 billion in financial reserves in 2024. Executive compensation was approximately \$93 million. These massive sums of money were made possible by the "labor stability" protected and ensured by the LMP.

Kaiser is invoking the LMP as the basis for its lawsuit, exposing any claims that the LMP works for the "mutual" benefit of healthcare workers as a complete fraud. The LMP, and the unions in particular, bear responsibility for the deterioration of the working conditions of nurses and healthcare workers, having sanctioned the inflation of patient-staff ratios and suppressed struggles for improvements to working conditions.

An admission of responsibility is articulated in the 2023 National Agreement between Kaiser and the Alliance Unions for the Labor Management partnership: "As unions and management continue to integrate Labor Management Partnership structures into existing operational structures, Partner unions will become more involved in business planning and resource allocation decisions."

Workers understand from their experiences that staffing

decisions have been detrimental to their conditions. The LMP National Agreement makes clear that the unions' decision making is "intricately tied to the shaping of staffing plans and decisions to adjust resource allocations during budget cycles." In other words, the needs of health care workers and their patients alike are subordinated to the profit interests of the healthcare giant.

Rank-and-file workers have no interest in defending the Labor Management Partnership, which was created in response to recurring strikes. It imposed the burden of the financial pressures affecting Kaiser onto the employees. Framed as "employee involvement," it was designed to transform the union leadership into an arm of management, and secure deep concessions from the workers rather than empower workers.

Left in the hands of the labor bureaucracy, the current struggle will be betrayed like countless battles before. That is why it is necessary for Kaiser nurses and other healthcare workers to immediately form rank-and file committees to transfer power and decision-making from the union apparatus to the workers on the hospital and clinic floors. Strikers must be on guard against every effort to divide them with separate deals and instead fight for the expansion of the struggle. This includes uniting with New York nurses and other sections of workers entering into struggle, including San Francisco teachers, oil refinery workers and others.

As enumerated, hundreds of thousands of workers across the country are voting to strike or face contract expirations in the coming weeks and months, opening up the prospect for sustained, coordinated strike action, as a part of a broader working class upsurge against the attack on social and democratic rights by the Trump administration and the corporate oligarchy that both parties defend. Central to such a struggle will be securing the right to free, high quality healthcare for all by ending the subordination of medical care to corporate profit.



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