

Theologian criticizes union's method for organizing hospital workers

SAN FRANCISCO - Kevin Murphy, vice president for theology and ethics at the St. Joseph Health System, dismissed the notion that his organization was anti-union and responded to criticism coming from some Catholic leaders about the system's conflict with United Healthcare Workers West, a unit of the Service Employees International Union.

"This has less to do with social justice teaching and more to do with context and mechanism," he told Catholic San Francisco, newspaper of the Archdiocese of San Francisco.

The hospital system, operated by the Sisters of St. Joseph of Orange, opposes the union's push for "pre-election agreements" and believes that secret-ballot elections under federal law better respect the dignity of each participant.

If a hospital official signed such an agreement, Mr. Murphy said, that would be unfair to employees who might not want to belong to a union and who would not have been given a chance to vote.

United Healthcare Workers West has been trying since 2004 to establish union representation at five hospitals in the St. Joseph Health System, which has health care facilities in California, New Mexico and Texas.

The union is seeking a systemwide "code of conduct" to govern organizing campaigns. It is proposing language similar to that in agreements it reached with Catholic Healthcare West in 2001 and later with for-profit chains, said John Borsos, a union vice president.

The union maintains that the language protects worker rights in elections to decide union representation.

Accusations of anti-union practices in Santa Rosa were echoed in union campaigns at other sites in the 14-hospital system; the union says it has ample evidence to show that federal law governing such elections is too weak to prevent employers from using their economic power to intimidate workers.

In November 2007, an administrative law judge set aside a union election at St. Mary Medical Center in Apple Valley, upholding two of 15 objections the union had made about the employer's conduct.

Pointing blame at high-ranking company officials, Judge Lana H. Parke found that "certain conduct of the employer interfered with the employees' exercise of a free and reasoned choice."

On Aug. 4, the National Labor Relations Board's regional director in Los Angeles issued a complaint alleging unfair labor practices at Mission Hospital in Mission Viejo, also a St. Joseph Health System facility; the alleged unfair practices included taking pictures of employees involved in union activity and interrogating employees wearing union pins. The complaint is scheduled to go to a hearing in October.

"We strongly contest the accusations," said Kevin Andrus, the system's vice president for corporate communications.

Mr. Murphy said it is inappropriate to say that opposition to the SEIU's approach means the Sisters of St. Joseph of Orange are in conflict with their pro-labor history.

"What I see consistent in the heritage of the sisters is they always look for the voices that aren't being heard," he said. "It's about ensuring employee choice."