

Second Petition to Vote for Democratically Elected, Legitimate Union Shop Steward Representing EVS Shift 1 at Saint Mary Medical Center

We, the undersigned Crawford Healthcare, Inc., environmental services (EVS) employees, who work on the first shift at Saint Mary Medical Center, respectfully petition Service Employees International Union (SEIU) supervisors to hold a fair, scheduled, and genuinely democratic election. We are petitioning for the election to give not just some of us, but all SEIU members in our work unit the opportunity to exercise their right to vote for a legitimate union steward.

We, the undersigned, believe the following:

1. In accordance with Article 9C of the SEIU Constitution and Bylaws, 18 SEIU members in our work unit (75 percent) sent a petition on September 15, 2015, to SEIU representative Liz Beltran. In our petition, we respectfully requested a new election to vote for a democratically elected, legitimate union steward to **replace** the steward at that time.
2. By about September 23, 2015, SEIU supervisors Steven Ross and Stefano Luca had also received a copy of our recall petition.
3. Article 9C of the SEIU Constitution and Bylaws states:

A steward may be **recalled**, and a new steward election shall be called to choose a **replacement**, during his/her 3-year term of office upon the submission of a petition bearing the signatures of 50% of the members in his/her work unit [emphasis added].
4. According to *Wikipedia*, a *recall election* is “a procedure by which voters can **remove** an elected official from office through a direct vote before his or her term has ended [emphasis added].”
5. According to *The American Heritage Dictionary of the English Language*, the word *replace* means “to take or fill the place of” or “to...provide a substitute for.”
6. After many of the recall petition signers arrived at work on September 26, 2015, they were very surprised to learn that SEIU representatives had called for some type of meeting to be held that day at 10:30 a.m.
7. These recall petition signers were surprised because they did not know in advance about the scheduled meeting.
8. These recall petition signers did not know in advance about the scheduled meeting because:
 - a. The person (who was a **non-signer** of the recall petition) who was responsible for posting the notice about the scheduled meeting in a conspicuous place had instead improperly placed the notice in a cabinet at work.
 - b. Many SEIU members did not see the notice until after a recall petition signer saw the notice improperly placed in a cabinet and then properly and conspicuously posted the notice sometime in the afternoon.
 - c. SEIU representatives and the union steward did not tell all the recall petition signers about the meeting scheduled for September 26, 2015.

9. Because of the lack of proper notification to the recall petition signers, the recall petition signers who were not scheduled to work on September 26, 2015, were not at the SEIU meeting.
10. Many or all of the SEIU members who did **not** sign the recall petition (“the recall petition **non-signers**”), including some non-signers who were not even scheduled to work on September 26, 2015, were not surprised at all about the meeting scheduled for that day because they knew about the meeting in advance.
11. Many of the recall petition non-signers knew about the September 26, 2015 meeting in advance and therefore were at the meeting because some recall petition non-signers had notified other petition non-signers to be at work for the meeting.
12. Each and every recall petition signer who happened to be working on September 26, 2015, was stunned and disturbed to learn that SEIU representatives were holding a so-called recall election at that time.
13. The recall petition signers who happened to be working on September 26, 2015, were stunned and disturbed because:
 - a. Many recall petition signers who happened to be off work that day (at least seven) or fulfilling their work responsibilities in critical areas of the hospital (e.g., surgery) during a very busy work period (just after 10:30 a.m.) were wrongfully stripped of their right to participate in a scheduled, genuinely democratic recall election.
 - b. Ms. Beltran actually told a recall petition signer who had definitely not voted yet, but wanted to vote, that the recall petition signer had already voted. (The recall petitioner was so upset that she left the room without having had the opportunity to vote.)
 - c. Ms. Beltran also told another recall petition signer who had definitely not voted yet (because the recall petition signer had been busy working in the surgery area) that the recall petition signer could not vote in the recall election because it had ended.
 - d. SEIU representatives allowed the recall petition non-signers to participate in a recall election that was not properly scheduled and not genuinely democratic.
 - e. During the so-called 10:30 a.m. meeting for all SEIU members, Ms. Beltran continued to demonstrate the appearance of partiality towards some SEIU members by holding a **private, separate meeting** with some recall petition **non-signers** for an extended period of time.
 - f. SEIU representatives did not follow Article 9C of the SEIU Constitution and Bylaws and the standard definitions of the terms *recall election* and *replacement* by permitting an improper recall election to proceed and the **retention, not replacement**, of the recalled union steward.
 - g. SEIU representatives tried to placate the upset recall petition signers during the improper recall election on September 26, 2015, by allowing some, but not all, SEIU members in our work unit to vote for a second SEIU steward.
 - h. The decision to add a second union steward, **after the recalled steward had been the sole steward** on the first shift, appeared to be an attempt to ensure that the second-place, recalled steward could never be replaced, which is contrary to the letter and spirit of Article 9C of the SEIU Constitution and Bylaws.

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