



Living Wage Coalition of Sonoma County

*A Grassroots Organization of
Community, Labor and Religious
Groups and Concerned Citizens*

Winter 2010

Rohnert Park Wal-Mart Supercenter Approved and Opponents File Lawsuit

by *Martin J. Bennett*

Rohnert Park is now the epicenter for the battle against sprawl and big box development in the North Bay.

In April, the Rohnert Park Planning Commission unanimously denied the proposal by Wal-Mart to enlarge its existing discount store into a 167,000 square-foot supercenter. Wal-Mart appealed the decision to the city council and in July the council voted to approve the project. Council member Jake Mackenzie was the lone dissenting vote.

A broad coalition of labor, environmental, and community organizations from across the county organized a grassroots campaign against the supercenter. This year-long effort included canvassing most households in the city, tabling at local supermarkets, and phone banking city residents. Hundreds of opponents packed both the planning and city council meetings, and the coalition

delivered more than 4000 signatures to the city council from residents opposed to the project. Following the city council vote, Sonoma County Conservation Action and the Sierra Club filed a lawsuit challenging the approval of the EIR and the project.

The coalition is continuing to make the case to the community that the costs of the project far outweigh the benefits.



Jack Smithson, Hubbub Club Marching Band
July 29, 2010 Rohnert Park City Council Meeting

The economic and environmental impacts of the proposed supercenter are regional and extend far beyond Rohnert Park. The controversy raises fundamental questions about

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Stop Blaming Public Employees for the State's Fiscal Problems

by *Ken Jacobs and Stephanie Kalmin*

Public sector employees have unfairly become the focal point in an economic catastrophe not of their making. Even "Saturday Night Live" skewered public employees for a cheap laugh. But, while fans of late night television may chuckle, it's no joke that in California, the public sector is under a magnifying glass that ignores the big picture. But as Labor Day approaches, it is important to remember the important role that public sector employees play.

The "Great Recession" is hurting all of us, and the revenue crisis in state and local government requires real solutions. But the overheated rhetoric

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Santa Rosa Memorial Hospital Organizing Victory: Justice Delayed is Justice Denied

by *Martin J. Bennett*

This year marks the 75th anniversary of the National Labor Relations Act (NLRA), passed by Congress in 1935. That legislation extended basic labor rights to American workers, including the rights to organize, to bargain collectively, and to strike for fair wages, benefits, and workplace safety.

However, as the recent attempt to organize a union by workers at Santa Rosa Memorial Hospital demonstrates, Americans have little cause to celebrate. Today, American workers are systematically denied their basic labor rights. In a 2000 study, Human Rights Watch reported that, “worker’s freedom of association is under sustained attack in the United States and the government is often failing its responsibility under international human rights standards to deter such attacks and protect worker’s rights.”

The organizing campaign by Memorial workers is representative of how labor law is failing American workers. What are the facts?

In December 2009 the National Labor Relations Board (NLRB) conducted an election at Memorial Hospital, owned and operated by St Joseph’s Health System, to determine if nearly 700 employees desired union representation. The election was the culmination of a

six-year grassroots campaign led by an organizing committee of several dozen veteran Memorial employees.

After a review of contested ballots, the NLRB declared, this past January, that the National Union of Health Care Workers (NUHW) had received a solid majority of the votes cast. Management appealed this decision and requested that the labor board nullify the results because of alleged unfair labor practices by the union. In April, the NLRB regional office conducted a four-day hearing. Witnesses were questioned by attorneys for both sides about alleged intimidation of voters and improper campaigning near polling places by the union.

In May, administrative law judge William Schmidt dismissed management’s objections, declared NUHW the exclusive bargaining agent for the employees, and directed management to begin contract negotiations with the union. Instead, St. Joseph’s has chosen to appeal this decision to the five-member national NLRB appointed by the president. It may be more than a year before the board can review the judge’s decision. If the national NLRB rejects the unfair labor practices charges, management can then delay union recognition for several more years by appealing to the federal courts.

What is going on here? Over the last two decades Cornell University Professor Kate Bronfenbrenner has studied the gradual erosion of labor protections for American workers. She has documented the legal and illegal tactics of employers to thwart unionization. Brofenbrenner found in her most recent 2009 study, “No Holds Barred: the Intensification of Employer Opposition to Organizing,” that the NLRA no longer prevents intimidation, surveillance, retaliation, and firings faced by workers who attempt to organize a union. More than 20,000 workers are illegally discharged or disciplined each year for union activity.

Furthermore, she reports that in 37 percent of the successful organizing campaigns, workers fail to win a first contract within two years. There are no effective penalties for intransigent employers like St. Joseph’s, who refuse to recognize a union chosen by majority vote and who resist negotiating a first contract.

According to Human Rights Watch, “U.S. labor law is weak and riddled with loopholes. Penalties for violations are minimal and further emasculated by systematic and lengthy enforcement delays.”

A 2006 Peter Hart poll revealed that three out of five nonmanagerial workers, or 60 million non-union workers, would join a union if given the opportunity—but few will be able to do so given the lack of legal protections for the right to organize. As a consequence, less than 12 percent of American workers belonged to unions in 2010 compared to 35 percent in 1955. The failure of Memorial workers to achieve union recognition and to begin bargaining for a contract must be viewed in this context.

The U.S. Conference of Catholic Bishops has recognized the inadequate federal protections for worker’s rights. In June 2009, the Bishops released principles for Catholic health care institutions, “Respecting the Just Rights of Workers:

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future growth and the necessity for proactive city and regional planning to promote equitable and sustainable development.

Development in Sonoma County is inevitable. According to the Association of Bay Area Governments (ABAG), the population of Sonoma County will increase by twenty-three percent over the next twenty years. In 2008, voters approved a landmark initiative to meet this challenge, creating the two-county SMART train that will run on tracks adjacent to Highway 101 from Cloverdale to Larkspur. The build-out of the train system provides the opportunity for city-centered 'transit-oriented development' (TOD) around the fourteen SMART train stations--development that could accommodate ninety percent of the projected population growth.

TOD is densely-built, mixed-use development within one-half mile of transit stations, accessible by bicycle and foot, and with a variety of retail, office, and small businesses. Through land-use planning and public funding, municipalities can promote development near transit stations that includes good jobs paying family-supporting wages, affordable housing for all income groups, open space, and walkable neighborhoods.

The Wal-Mart supercenter will be located a quarter of a mile from the site of the planned Rohnert Park SMART train station and is a direct threat to such careful and appropriate planning.

Opponents of the Wal-Mart supercenter believe it undermines compact and equitable development in Rohnert Park, and violates the city's general plan, which mandates access by residents to neighborhood supermarkets. The project undercuts transit-oriented development's efforts to re-

duce low-wage work, support local business, tackle global warming, and lay the foundation for a robust regional economy.

Nearly one third of the workforce in Sonoma County are currently 'working poor' and do not earn a self-sufficiency, or 'living wage.' According to the Insight Center for Community and Economic Development in 2008, two parents working full-time to support two children in Sonoma County must each earn \$14.90 an hour or \$62,940 a year to pay for food, housing, medical care, child care, and transportation.

Sonoma State University economist Robert Eyler reports that the supercenter will contribute to job quality decline and increase the problem of working poverty. According to his analysis, the county will lose 105-211 jobs--mostly good jobs that pay hourly wages for full-time workers ranging from \$17.67 per hour at Pacific Market, a local independent grocer, to \$23.36 at Raley's and Safeway. The Wal-Mart supercenter will employ 450 workers, and, according to the company, the typical full-time worker at Wal-Mart earns \$12.10 an hour.

With regard to global warming, the supercenter will have adverse effects on air quality and greenhouse gas emissions. In order to comply with AB 32, a 2006 state legislative measure, all nine cities and the county have pledged to reduce greenhouse gas emissions twenty-five percent by 2015. However, the Eyler report notes that Pacific Market will close if the supercenter is built, and its 8,000 customers will drive an extra 28,400 miles each week to shop for groceries.

Further, Stacy Mitchell, author of *Big Box Swindle*, reports that vehicle miles driven per customer will increase because a supercenter draws shoppers from a greater distance than

a discount store. Indeed, since Wal-Mart's rapid expansion in the late 1970s, miles traveled per household to shop has skyrocketed by three hundred percent, while total household driving increased by seventy--five percent.

As for local business, there are sixty local suppliers that provide produce and merchandise to Pacific Market, and more than seventy supply Oliver's, the largest grocery in nearby Cotati. Wal-Mart suppliers, on the other hand, are nearly 100 percent national and global firms.

The 'Go Local' movement has demonstrated that patronizing local businesses ensures that more dollars remain in the community. Studies by Civic Economics demonstrate that locally-owned firms produce two to three times more economic activity within the local economy than national chains --including locally-retained profits, wages paid to local residents, purchases from local suppliers, and contributions to local nonprofits.

The Wal-Mart supercenter will undermine transit-oriented and equitable development in the North Bay. To accommodate population growth and to promote sustainable development, all cities along the 101 corridor in Marin and Sonoma counties must prioritize the creation of good jobs and affordable housing near SMART train stations.

A favorable outcome of the lawsuit could force the City of Rohnert Park to revisit the decision to approve the Wal-Mart expansion. Two planning commissioners, John Borba and Amy Ahanotu, who voted against the Wal-Mart project, are candidates for the city council this fall. The battle to halt the supercenter is far from over.

Martin J. Bennett teaches American history at Santa Rosa Junior College, serves as a Co-Chair of the Living Wage Coalition, and on the Executive Board of the North Bay Labor Council.

A Tribute to Marie White

Tribute to Marie White June 12, 2010

Marty Bennett, Co-Chair, Living Wage Coalition of Sonoma County

We gather today to celebrate the life of our sister Marie White.

On behalf of the Living Wage Coalition I want to convey that her courage, leadership, and dedication to worker's rights and labor's cause was an inspiration for all of us in the coalition who knew her.

Over the last 15 years more than 100,000 California in-home support service (IHSS) workers have unionized. In 1999 alone, more than 74,000 homecare workers joined SEIU 434 in Southern California. This was the largest number of workers to unionize since the United Auto Workers organized Ford Motor Company in 1941. Many journalists and historians have noted that the foundation for the renewal of the American labor movement is the contemporary grassroots-organizing campaigns by low-wage workers in the service sector. Janitors, housekeepers, security guards, home care and child care workers have unionized to win living wages, comprehensive health care and retirement benefits, and dignity and respect on the job.

It is within this historical context that we should view the life of Marie White. Marie was a rank and file leader during the campaign to organize homecare workers in Sonoma County who joined SEIU Local 250 in 2001. She served in numerous appointed and elected positions including the Executive Board of

SEIU UHW and the Sonoma County In-Home Supportive Services Advisory Committee. She became one of the most talented and respected leaders of the new labor movement in the North



Bay: Marie was an eloquent spokesperson and fierce advocate for homecare workers, and all low-wage workers. She truly gave voice to the voiceless, and her leadership empowered others to come forward to build the new labor movement.

Marie White was a lifelong activist: her commitment to economic and social justice began in her native England, where she supported the struggles of coal miners in Wales as a college student in the 1950s. After receiving a law degree she emigrated to the U.S.; and in early 1970s Marie became the director of a nonprofit social services provider in Sacramento, and then a disability rights advocate and organizer.

Marie often recalled that one of her most memorable and exciting actions was a sit-in at the San Francisco Federal Building in 1977. This action forced the federal government to issue guidelines to enforce the landmark Rehabili-

tation Act of 1973, which bars discrimination against people with disabilities by any federally funded program. She was drawn into the American labor movement in the 1990s and became involved with organizing homecare workers while caring for her autistic son.

Our Living Wage campaign began in 2000 just as homecare workers began to organize in the county. We supported the homecare organizing drive that led to the first contract for Sonoma County IHSS workers in 2002--in turn, Marie and other homecare workers were active in all of our campaigns to pass Living Wage laws in Sebastopol, Sonoma, and Petaluma.

Marie White profoundly understood that justice for homecare workers required grassroots leadership, a democratic union, and enduring community-labor alliances. She was a tireless and patient public advocate for homecare workers and a persistent bridge-builder between workers, clients and their families, the union, community organizations, and elected officials.

In March of 1968 Dr. King told striking sanitation workers in Memphis, Tennessee: "it is criminal to have people working on a full-time basis and getting part-time income. We are tired of working our hands off and laboring every day and not even making a wage adequate for the daily basic necessities of life."

Marie White followed Dr. King down the Jericho road for social justice and empowerment for all working people. The Living Wage Coalition pays tribute to the life of Marie White as an example for all who seek to build a new labor movement and to create a better world.

Update on NeilMed Pharmaceuticals Strike in Santa Rosa

by Bonnie Petty

Last May, 60 predominantly Latino workers began a strike against their employer, NeilMed Pharmaceuticals in Santa Rosa, in response to the company's intolerable working conditions and numerous violations of federal labor law.

Over a year ago the workers voted to join Teamsters Local 624 in an election that was certified by the National Labor Relations Board (NLRB) in September of 2009--yet they are still without a contract.

"We want a union because we need someone to go to bat for us when this owner tries to mistreat us. We know the Teamsters will do that," said NeilMed worker Elmer Cisneros. "We do not want to return to work until we have a union contract."

The NLRB issued several unfair labor practices complaints against NeilMed and is investigating others. In July, the board ruled that the company illegally fired two workers for union activity, changed shift assignments and other working conditions, and refused to bargain in good faith with the union.

NeilMed Pharmaceuticals makes nasal rinse kits that are sold in supermarkets, pharmacies and department and large

chain stores throughout the area. Until now, the Teamsters local has not called for a national boycott, but that possibility looms on the horizon if the employer continues its current activity--or inactivity, as the case may be.

Besides NeilMed's foot-dragging on contract talks, their "unjust conduct remains," says Miranda, and the

The reason they have chosen not to "turn the heat up, nationally," yet says Miranda, is because "the key rests right here in the community. The owner of the company lives here in Sonoma County." It's a local issue, says Miranda. So far, they have taken their case to the local labor community and they have distributed information at various places that sell the product, such as CVS stores, and written letters

to CEOs of such companies. They have also made the rounds at a few professional and industry conferences, passing out information and talking to industry people who recommend or provide access to the product.

In the meantime, the workers are on the picket line every morning and every afternoon, without fail. Be watching for announcements on

possible future actions in support of their efforts through the Living Wage Coalition's web site and on our list serve.

This article updates another that appeared in the Teamsters Joint Council 7 Newsletter August-September 2010. Bonnie Petty is a retired Sonoma County Library employee, a freelance journalist, and Co-Chair of the Living Wage Coalition.



company has now filed a number of legal actions against the workers and the union. But recently some of those judgments have been found in favor of the workers. For example, the company tried to get a restraining order placed on the strike captain, but they were unsuccessful in that action. They followed that with a threat of criminal action against the strike captain. Then in early October a judge awarded the payment of all attorney's fees incurred by the strike captain for the legal actions the company had taken against him.

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about public employees misses the mark.

The facts fly in the face of those who call the public sector “bloated.” California ranks 48th in the nation in its proportion of public to private sector employees. About 70,000 public sector jobs already have been eliminated over the past several years in the state. In fact, our state and local governments have experienced proportionately more job loss than other states. It would be misguided to cut even mor

accounts.

Many public sector jobs - teachers, nurses and firefighters - require high levels of training and skills. Once you control for workers’ training, experience and education, California public sector workers earn 8 percent less on average than their private sector counterparts.

Even considering benefit costs, total compensation for public sector workers is lower on average than compensation in the private sector for similar skill levels.

\$2,000 a month.

For those public sector workers who do not receive Social Security, it may be their only source of retirement income. The solution is not to take away what public servants have earned through hard work, but to create solutions that improve everyone’s retirement security.

By scapegoating the state’s public sector and its employees, we are shooting ourselves in the foot. changed Board as the key reason for his departure.

We all love public services but prefer not to pay the taxes that will support them. As

a result, our school districts are eliminating teaching positions at a time when California is already 45th in the nation in per-pupil education spending and last in teachers per student. Police forces are being cut in places like Oakland, which has the country’s fifth largest crime rate. Potholes are expanding and public services are shrinking.

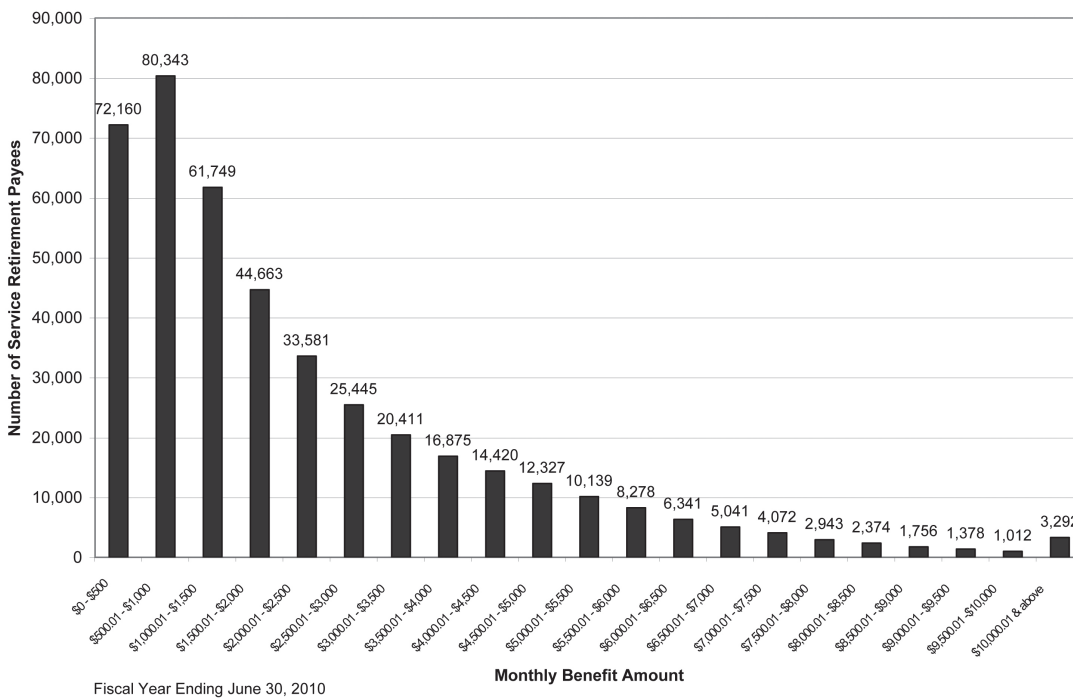
Shrinking the public sector, voting down funding plans and lowering taxes for the wealthy will not jump-start California’s economy; in fact, such steps would do the opposite. To recover and compete, the state needs a strong infrastructure, and that depends on a robust

public sector.

Research shows that education, public safety and infrastructure play a much more significant role in attracting businesses and skilled workers than corporate tax rates.

Far from impeding businesses, our infrastructure and regulatory framework provide the cornerstone of economic prosperity and allow business to grow, while also protecting

Monthly Benefit Amount by Number of All Service Retirement Payees Through June 30, 2010



Office of Policy and Program Development, July 2010
<http://www.calpersresponds.com/charts-graphs-data.php>
 California Public Employee Retirement System

These and other public servants signed on to their jobs, often accepting lower wages in exchange for steady work, health benefits and future retirement funds. In hindsight, this was not a bad move, considering how much the stock market has played havoc with 401(k)s and other private investment

One area receiving significant attention is the underfunding of public pensions. The problem arose because both public and private sector employers stopped paying into the pensions during good times. The average public sector pension in the state is quite small, a little over

Guidance and Options for Catholic Healthcare and Unions,” intended to guide labor relations and to safeguard worker’s rights. These principles state that the “union and the employer will honor the results of an election” and that both parties after the election will “immediately begin working in good faith to reach a collective bargaining agreement.” The Santa Rosa Catholic Diocese has adopted these principles. Why can’t St. Joseph’s?

These delaying tactics by management are part of a systematic campaign to deny Memorial workers their basic human and constitutional right to form a union. Further delay will erode trust and good will between labor and management, undermine effective communication at the workplace, and contribute to declining employee morale.

St. Joseph’s should immediately drop all legal appeals and commence bargaining with NUHW. Management should join other major employers in the region, such as PG&E, Kaiser Permanente, and

the Council on Aging, that have built partnerships with unions to develop a high-performance workplace characterized by increased productivity, high levels of employee morale and job satisfaction, and improved quality of services.

As Melissa Bosanco, a Memorial oncology care partner and NUHW activist stated, “We voted NUHW because we wanted a voice to make our hospital a better place to work and a better place for our community to get care.”

By recognizing the union and by expeditiously negotiating a first contract, management can lay the cornerstone for an enduring collaborative relationship with the union to continuously improve the quality of patient care and to create a fair and just workplace.

Martin J. Bennett teaches American history at Santa Rosa Junior College, and is a Co-Chair of the Living Wage Coalition. He served on the Fair Election Oversight Commission, a group of community leaders that monitored the 2009 NLRB elections at Memorial Hospital.

consumers and the environment. This essential system simply cannot function without our dedicated public servants.

As we celebrate Labor Day, let’s take a more expansive view of how to solve our economic dilemmas. The federal government must play a greater role in addressing the crisis. The problem cannot be solved on a state-by-state basis. There are, however, better and worse measures the state can take.

Cutting public services, further weakening our infrastructure, and reducing the number of teachers and janitors in our schools will only deepen unemployment and prolong the downturn.

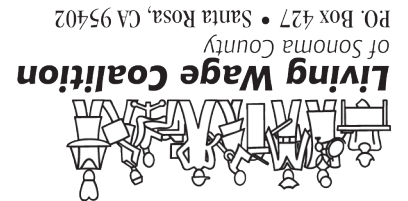
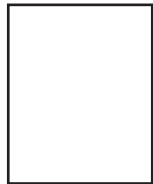
On Labor Day, take some time to thank our public servants, rather than make them the misplaced targets of frustration and fear.

Ken Jacobs is the Chair and Stephanie Kalmin is External Relations Coordinator for the UC Berkeley Center for Labor Research and Education. This article originally appeared in the Sacramento Bee, September 4, 2010.



Support a Living Wage! Start or Renew a LWC Membership Today!

Join the Living Wage Coalition !!				Annual Membership Rates	
Name				Individual	\$30
Organization		Supporter	\$100	Sustainer	\$250 and up
Address		Benefactor	\$500 and up	Student/Low Income	\$10
City/State/Zip		Phone /Email			
Enclosed is my contribution of \$ _____.					
<input type="checkbox"/> Check here if you do <u>not</u> want your name distributed (very infrequently) to other progressive organizations					
Please make checks payable to: Living Wage Coalition of Sonoma County. The Coalition is a 501(c)(3) nonprofit; Contributions are tax deductible to the full extent allowable by law.					



Many Thanks

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Labor and Materials donated by SEIU 1021

Save these Dates!

**Next General Meeting of the
Living Wage Coalition is**

Tuesday, January 25, 2011 at 6:30pm

**Next Living Wage Coalition
Coordinating Committee Meeting is**

Tuesday, November 23, 2010 at 6:30pm

**All meetings of the Living
Wage Coordinating Committee
and the quarterly General
Meetings for 2011 will be
posted on the web site.**

All Meetings are held
at SEIU 1021
600 B Street, Santa Rosa