

Fact Sheet: Our Fight Against Unfair Labor Practices at Spectrum Healthcare

October 15, 2010

April 15, 2010: The Struggle Begins

Four hundred members of District 1199, including nurses, nursing assistants, dietary, laundry and housekeeping staff began a strike on **April 15, 2010** at four nursing homes operated by Spectrum Healthcare.

Spectrum Healthcare is a local nursing home corporation, based in Vernon which operates six nursing homes in the state. The workers, a largely female and minority workforce, average between \$13 and \$14/hour for most positions after a few years on the job.

Contracts with 1199 covering Park Place Health Center (Hartford), Birmingham Health Center (Derby), Hilltop Health Center (Ansonia) and Laurel Hill Healthcare (Winsted) expired on **March 15, 2009**. Since the contracts expired, Spectrum has fired or suspended at least 14 union members at the homes with no recourse to arbitration.

Spectrum: Lawbreaker

Those firings, along with other forms of worker intimidation, are the basis for multiple Unfair Labor Practice Charges filed against Spectrum. **The National Labor Relations Board (NLRB)** issued a formal **Complaint and Notice of Hearing** (similar to an

indictment in criminal law) **against Spectrum on August 19th stating that the company has repeatedly broken the law and is “failing and refusing” to bargain in good faith.**

Our Offer to Return is Rejected

Unlike any of the other nursing home operators with whom 1199 has contracts, Spectrum early on threatened to hire **permanent replacements** for union members who went on strike. The Union made an “unconditional offer to return to work” on August 31. The employer responded by calling only a few workers back, once again violating the law. The case is going to trial and when an administrative law judge supports the Labor Board’s charges, Spectrum will be liable for workers’ back pay, back benefits, and interest. **In the meantime, the Spectrum workers continue their daily picket lines in front of all four homes in protest of Spectrum’s unlawful behavior.**

Union’s Reasonable Proposals

Over the last year, 1199 reached agreements with the operators of 36 other Connecticut nursing homes, conforming to a pattern including **no wage increase at all in the first year**, a 2.5% wage increase in the second

(over)

year, a common expiration date and no significant changes in benefits (health insurance, retirement, paid time off, etc.) Spectrum refuses to agree to similar terms, demanding concessions and deep wage cuts (to \$10/hour) for workers injured on the job who need "light-duty" work for some time.

Spectrum's Bad Faith Bargaining

In the few negotiating sessions since the strike began—where each time the Employer has refused to enter the room—Spectrum made regressive proposals, demanding a contract expiration date in 2015 with only one guaranteed raise of 2.5% late in 2010. Any future increase *or decreases* would be contingent on changes in Medicaid reimbursement rates. **This means workers could see their wages fall** if the state cuts Medicaid rates in future budget years.

The proposals currently on the table from Spectrum Healthcare would destroy the contract standards that nursing home workers have struggled for years to achieve and undermine their ability to support their families and communities while providing the highest standard of care for their patients.

Spectrum's Shameful Safety Record

Since April 15th, the state Department of Public Health (DPH) has cited Spectrum for numerous instances of poor patient care. The company also has an **abysmal health and safety record**: Five of Spectrum's six facilities are on OSHA's annual list of employers with the **highest rates of workplace illness and injury in the nation**. According to OSHA records, these facilities have been on the list for at least the last five years. **OSHA cites only those workplaces where**

illness and injury rates are more than twice the national average for comparable worksites.

Outpouring of Community Support

Since the struggle began there has been a tremendous show of support throughout the state for the Spectrum workers. **Elected officials** have helped deliver food and contacted the employer to urge a fair resolution; other **unions and community groups** have walked the picket lines and raised funds; **family members and residents** of the homes have publicly supported the fight and charged the employer with substandard care from replacement workers; **clergy members** have spoken from their pulpits to support the workers and attempted to contact owners Brian and Howard Dickstein.

"We are Christians, Jews and Moslems today, united, seeking justice and peace and in solidarity with Spectrum workers who are nurses, dietary workers, housekeepers, laundry workers and with those who understand that justice does not mean just us, but finding a way for all of us. We not only rally here, but encourage one another by our very presence, to seek the presence of the divine in this struggle. If we stand together we will be together, if we stand apart, they will pick us apart."

-Rev. Stephen Camp
Faith Congregational Church

You Can Help Us Win !

Your support can help Spectrum workers win the fight for decent jobs, a fair contract, and quality patient care. Financial contributions are welcome and we encourage you to walk the picket line with us. Contact us through the 1199 website at www.seiu1199ne.org or call 860-549-1199.