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Congressional Forum on the Employee Free Choice Act

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My name is Paul Patterson and I am employed by St. John's Community Services as a Support Specialist.

I have worked at the agency's Academy Street group home for 3 years, providing care to developmentally disabled adults. In addition to my shifts at the group home, I have also worked in the agency's supportive living program.

My co-workers and I began to form a union with the Communications Workers of America Local 1037 in November of 2004.

We wanted to form a union to improve our benefits and wages, secure job security, and win a say in our working conditions. We were tired of being paid wages too low to support ourselves and our families and seeing good workers disciplined and unfairly fired. We were also tired of seeing consumers get the short end of the stick, and we wanted a real way to advocate for them without a fear of losing our jobs.

As a member of the organizing committee I helped lead the effort to form a union at St. John's. I spoke with my co-workers at my group home and at the other group homes in my area about organizing with CWA and collected cards from those who were supportive of our effort.

When we started signing authorization cards in mid-December, by the end of one week, we had over 75 percent support. CWA Local 1037 filed our cards with the National Labor Relations Board in December 2004 and our election was later scheduled for January 20 and 22, 2005.

Immediately, management began running an anti-worker/anti-union campaign as soon as we went to the Labor Board with our cards. We received anti-union letters at our homes and coercive leaflets at work.

We received visits from headquarters management and were forced to endure one-on-one meetings with our supervisors meant to discourage us from forming our union. They began requiring overtime to certain workers in an effort to convince them to vote no. They even started telling some of us that if we voted to form a union at St. John's, they would be forced to institutionalize the consumers we care so much about.

We had a mandatory meeting at the Academy Street group home about a week before the election that was led by Bill Loyd, the Director of Development. At this meeting I confronted him about the issue of management raises. After the meeting he pulled me aside and told me that,

"we all have to make choices. You made the wrong choice by backing the union. And you've sealed your fate with St. John's."

Then, there were six one-sided meetings against our union a few days before the election. Management pressured each of us to attend one or more of the meetings by telling us to bring our consumers with us. At some of the meetings, they served filet mignon and lobster, even after telling us there was no money for any increases.

I attended the meeting in Long Branch, New Jersey on Monday, January 17. At the meeting I attended, there were approximately 12 staff from the Monmouth County area as well as representatives of management including Tom Wilds, the president, Genni Sasnett, Chief Operating Officer, Bill Loyd, Director of Development, and Marsha Tipelin, the New Jersey State Director.

After management presented an anti-union speaker, I asked if I could have five minutes to respond in front of everyone to the statements he made. Tom Wilds said, "absolutely not. It's my meeting and I'm paying for the food. So you may not speak."

It was statements like these, paired with management's aggressive anti-union campaign that scared some people into not supporting our union.

Despite all of the obstacles stacked against us, we won our vote decisively on January 22. We had 33 "Yes" votes to 19 "No" votes. On February 26, I was elected by my co-workers, along with three others, to be on the bargaining team.

We were excited and ready to bargain a contract with management. It seemed like we were on our way. Little did I know how many tactics management has at their disposal to avoid coming to the bargaining table, let alone bargaining a fair contract.

It began with legal delays at the NLRB. Management challenged the results of the election based on their own failure to post the election notices. When the local NLRB found in our favor, management requested a review of the decision by the Labor Board in Washington, DC. It was not until the Board in DC denied management's request for review that CWA was finally certified as our union.

But even the official recognition from the Labor Board was not enough to bring St. John's management to the bargaining table in a timely matter. We spent another two months putting pressure on management through mobilization, before we finally got a date to begin negotiations.

Then, one week before our scheduled date, management notified us that they had changed attorneys and would not begin bargaining as scheduled. Our June 9 date has now become July 6 because, conveniently, their new attorney will be on vacation for the better part of the month of June. Our first date for bargaining will be almost six months since we voted for CWA as our union. That is way too long.

To make matters worse, St. John's is taking every opportunity to discipline union supporters and intimidate new workers from supporting our union.

Management's threat to me is now becoming a reality. Not long after the union was certified, management reduced my hours to the point that I no longer had any more hours at the group home. I am now only working in the supportive living program and therefore have very limited contact with my co-workers. Currently, they are also making moves to terminate me from the supportive living position.

Other workers have been suspended and fired unjustly over the course of the five months since we won our election and although CWA has filed Unfair Labor Practice charges at the Labor Board, these actions have had a chilling effect on some of my co-workers' involvement in our union.

My co-workers and I want a union at St. John's. We want to bargain collectively with management and we want a fair contract. We did everything we were supposed to, but the process has failed us. We persevered through a vicious anti-union campaign. We have been ready to bargain a contract with management for the past four months.

Management has been allowed to make a mockery of our decision to form a union with CWA Local 1037. They have disciplined and fired workers unjustly. They have told workers, including new hires, that there is no union at St. John's.

They have blocked the beginning of contract negotiations through a series of slick delays and maneuvers. This cannot be allowed to continue.

Something must change because as it is right now, management is allowed to do whatever they want and we as workers essentially have no rights at all.