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NEW YORK LABOR LEADER DENNIS RIVERA IN SHADY PUERTO RICO UNION DEAL

by Juan Gonzalez

http://www.nydailynews.com/news/2008/02/29/2008-02-29_new_york_labor_leader_dennis_rivera_in_s.html

SEIU chief Dennis Rivera helped get Puerto Rico teachers union ousted so he could hijack members, critics charge. In what some call a shameful betrayal of solidarity, powerhouse New York labor leader Dennis Rivera has joined Puerto Rico's governor in a stunning attempt to break the island's largest union.

Eight days ago, the Puerto Rico Federation of Teachers, which represents 40,000 teachers, paralyzed island public schools with a strike. The teachers, who earn top wages of \$26,000 a year, had worked for 30 months without a contract. Union leaders were furious that Gov. Anibal Acevedo Vila imposed new working conditions last year, decertified the union in January and suspended its dues checkoff.

The governor's draconian actions came after the union's membership voted in November to authorize a strike. Since 1998, Puerto Rico's government workers have not been allowed to strike. While the clash between the teachers' militant leaders and the government was grabbing the headlines, Rivera was maneuvering to snatch control of the teachers for his Service Employees International Union.

Top labor leaders here and in Puerto Rico say Acevedo Vila gave Rivera, a close friend and a vice president of the 1.6-million member SEIU, a green light last year to oust the teachers federation and replace it with a newly formed labor group, the Union of Puerto Rican Teachers. That new union is a subsidiary of the Puerto Rico Teachers Association, a group that has long represented principals and supervisors at island public schools.

In January, Rivera and Aida Diaz, president of the principals group, announced that the principals were affiliating with SEIU and their new subsidiary would demand an election to oust the Federation of Teachers. The principals and supervisors, in effect, created a new union for their subordinates. What they didn't say was that they had the backing of the governor in this union-raiding scheme.

"The governor told Dennis, 'It's essentially yours to take,'" said one source who claims he was at a meeting in late December between top island union leaders, the governor and Rivera. This week, El Diario-La Prensa reported that Rivera and Acevedo Vila also met in September at a San Juan restaurant to discuss the teachers union as well as possible financial backing by SEIU for the governor.

"That's a total fabrication," Rivera said yesterday of the Diario story. "Did I meet with the governor of Puerto Rico in a public restaurant around August? Yes, I've met with him maybe 20 times. Did I offer him donations in any way, shape or form? Absolutely not." Rivera also denied any talks with the governor about a campaign by SEIU to become the bargaining agent for Puerto Rico's teachers.

ACEVEDO VILA'S office did not respond yesterday to a request for comment. The governor flatly denied to Puerto Rico reporters this week that he attended any meeting with Rivera to discuss financial support. A few days after Rivera and the principals' union held their press conference, the government of Puerto Rico decertified the teachers federation. Acevedo's education secretary has ruled that the federation will not be permitted to run in any new elections for a union to represent the teachers.

In Puerto Rico, there is a long history of antagonism between independent unions, like the teachers and the electrical workers, and the labor organizations connected to the AFL-CIO or the new Change to Win federation, of which SEIU is a part. Too many U.S.-based unions operate in an arrogant and colonialist fashion, the independents say. What they never expected was to see the most influential Puerto Rican labor leader in the U.S. treat them just like those old Washington labor leaders have done for so long.

Labor Notes--February 2008

SEIU to Raid Union Representing 40,000 Teachers in Puerto Rico

BYLINE: Marzán, César F Rosado

FMPR is the exclusive bargaining representative of all 40,000 public school teachers in Puerto Rico. FMPR was organized in the 1960s as a minority union (known in Puerto Rico as a "bonafide association") of teachers that were seeking a more militant voice in the workplace. The union affiliated with the American Federation of Teachers (AFT) shortly after it was founded.

Amidst the two-year contract battle, AMPR and SEIU announced their intention to affiliate and seek to represent the island's public school teachers. According to the AMPR's leader, Aida Diaz, the AMPR's affiliation with SEIU is "a great step" because it would help the union obtain "full social security and resources for professional development." Diaz added that because onethird of all education dollars in Puerto Rico come from the U.S. government, and SEIU is a "powerful lobbying force" in Washington, D.C., the union can better secure funds for its members.

[Dennis Rivera] told the Associated Press that "the \$1,600 that teachers currently receive [per month] in the island is tragic and we are committed to struggle to improve the economic and labor conditions of teachers and, generally, improve the education of the country." Rivera further stated that he could not envision FMPR affiliating with SEIU because FMPR had disaffiliated from AFT.

FULL TEXT

Dennis Rivera, chair of the national SEIU Healthcare union, announced December 28 that an organization of teachers and school principals in Puerto Rico would affiliate with SEIU and seek to challenge the incumbent Federación de Maestros de Puerto Rico (FMPR).

In a double blow, Puerto Rico's Labor Relations Commission decertified FMPR on January 9 after the union's delegate body voted unanimously to strike. Public sector strikes are illegal on the island.

Puerto Rico's secretary of education declared that since FMPR was decertified, contract negotiations with the union, which had been ongoing for two years, would cease and elections would be called sometime in the next year. The SEIU affiliate Asociación de Maestros de Puerto Rico (AMPR) will be allowed to contest those elections.

FMPR v. AMPR

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AMPR is Puerto Rico's oldest educators' professional association. In its early years, AMPR fought against compulsory English-only education, which was mandated by the U. S.-appointed governors who administered the island from the early 1900s until the 1940s.

In the 1960s, militant teachers declared that AMPR had become a cog of the Popular Democratic Party machine, the political party that created Puerto Rico's so-called "commonwealth" relationship with the U.S.

They organized FMPR as an independent voice of schoolteachers, and since the 1960s, the unions have squared off as rivals.

AMPR and FMPR in 1999 faced off in the first union election for exclusive representation, a right granted to Puerto Rico's public sector employees the previous year. FMPR won a landslide victory.

But FMPR suffered a serious setback in 1999 when its health insurance plan went bankrupt, while an increasing share of the teachers' union dues were going to its international parent, AFT. This crisis led to the election of the dissident caucus, CODEMI (Commitment, Democracy and Militancy) in 2003, which led an effective disaffiliation campaign from AFT and reorganized the newly independent union, in the words of CODEMI, into an "instrument of struggle."

A POWERFUL LOBBY

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Rivera told the Associated Press that "the \$1,600 that teachers currently receive [per month] in the island is tragic and we are committed to struggle to improve the economic and labor conditions of teachers and, generally, improve the education of the country." Rivera further stated that he could not envision FMPR affiliating with SEIU because FMPR had disaffiliated from AFT.

During the contract fight, the SEIU leadership in Puerto Rico, which leads one union local of cafeteria workers and another of nurses and residents, has not backed FMPR in its struggle.

The FMPR and other independent unions have denounced SEIU's raiding expedition as an attack on militant unions and an act of colonialism. The electrical workers' union president, Ricardo Santos—who is also involved in a battle to make the government bargain with his union—publicly demanded that Rivera stay in New York and to leave Puerto Rican unions alone.

SIDEBAR

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UNION GROWS, BUT LEADER FACES CRITICISM

New York Times February 29, 2008 by Steven Greenhouse

<http://www.nytimes.com/2008/02/29/us/29labor.html?sq=andy%20stern&st=nyt&scp=1&pagewanted=print>

Andy Stern has been hailed in some quarters as the nation's top labor leader largely because his union, the Service Employees International Union, has added members faster than any other, 800,000 over the last decade. But the president of one of the union's biggest locals has begun a public war with Mr. Stern, accusing him of having a "growth at any cost" mentality that has shortchanged union members.

That official, Sal Rosselli, whose local represents 140,000 health care workers in California, says Mr. Stern has made too many concessions on benefits and working conditions in persuading employers to agree not to fight unionization drives. The union has organized hundreds of facilities and grown membership to 1.9 million. "An overly zealous focus on growth — growth at any cost, apparently — has eclipsed S.E.I.U.'s commitment to its members," Mr. Rosselli wrote in a letter to Mr. Stern. Mr. Rosselli complained that Mr. Stern had had top officials negotiate deals with national health care corporations, depriving rank-and-file workers of adequate say in their contracts. In December, Mr. Rosselli quit as president of the union's 600,000-member state council in California after he grew convinced that Mr. Stern wanted to push him out.

Mr. Rosselli is vowing a major fight at the union's convention in June in Puerto Rico, saying he wants to end what he calls Mr. Stern's top-down style. He resigned from the union's executive board this month to protest what he said were Mr. Stern's heavy-handed, undemocratic methods, including the merger of several union locals in California. Mr. Stern's allies argue that Mr. Rosselli, who heads United Healthcare Workers West, is betraying union solidarity at an inopportune time, when the union is seeking to rally members behind the nomination and election of Senator Barack Obama as president. They accuse Mr. Rosselli of seeking to win extra benefits for his local's members while undercutting efforts to organize millions of lower-paid, nonunion workers.

Mr. Stern declined to be interviewed. An ally, Dave Regan, president of a local representing 35,000 health care workers in Ohio, Kentucky and West Virginia, denounced Mr. Rosselli, saying, "This is a smoke screen for a local that is now operating on a self-interested agenda, which is about them, to the detriment of the rest of the organization."

Mr. Rosselli said he was only seeking to do what was right for the rank and file. "Andy is leading an effort for more centralization of power," he said. "We believe it's fundamentally important to empower workers. The more power workers have, the stronger the union is." In a decade when most unions have lost members — just 7.5 percent of private-sector workers belong to unions — the service employees' is in a feverish debate about how best to grow and help union and nonunion workers. Mr. Rosselli said rank-and-file workers should be given maximum say in determining contracts, which often results in their calling for maximum increases in pay and benefits. That, he said, would attract new members.

But the Stern camp said it was important to give up some short-term gains in exchange for employer concessions that make it easier to organize nonunion workers. "There is no denying that the S.E.I.U. is the most innovative union in the nation and has figured out how to organize in a very inhospitable climate," said Janice Fine, a professor of labor relations at Rutgers. "This debate shows that the union is honestly wrestling with how to move forward. The union knows that standards for workers can't be defended without growth, and growth without attention to standards is also a problem."

In some ways, Mr. Stern's approach resembles that of a corporate chief executive who is willing to accept modest, short-term profits in order to invest in achieving greater size and strength for the long term. Michael Torres, a respiratory therapist at U.S.C. University Hospital in Los Angeles, part of the Tenet Healthcare Corporation, said Mr. Stern's approach had hurt Tenet employees. He complained that union leaders had sought to make a deal that called for not pushing for pensions or retiree health coverage; in exchange Tenet would not fight unionization of 23 facilities in Florida.

"We were handicapped from the get-go in our negotiations," Mr. Torres said. "We were fighting not only the employer but the international union. I think we need a major correction within the union if we are going to build a sustainable organization."

Mr. Stern's defenders say the union's health care council, made up of the leaders of many locals, and not Mr. Stern, determines negotiating policy. Tom DeBruin, an ally of Mr. Stern's who is president of a health care workers' local in Pennsylvania, said, "This comes down to, are we just going to focus on helping workers in one or two places in the country where our union is strong and let the vast majority of workers in the country go down the tubes?"