

NLRB Persuaded to Prosecute Nurse Union Officials for Threats

Union bosses illegally threatened non-striking nurses with 90 days in jail

LOS ANGELES, CA – Foundation attorneys have made a breakthrough for Carol Jean Badertscher and other brave nurses at Pomona Valley Hospital Medical Center who refused to turn their backs on their patients during a union-ordered strike. In July, the National Labor Relations Board Regional Office in Los Angeles had no choice but to prosecute union officials for threatening to have the nurses fined, arrested, and fired.

Badertscher filed unfair labor practice charges against Service Employees International Union (SEIU) Local 121RN union bosses at the NLRB last October. The NLRB Regional Director dismissed the case, but Foundation attorneys persuaded the NLRB General Counsel in Washington, D.C. to overturn him.

Abandon your patients or go to jail

Local 121RN brass had ordered nurses to strike after the collective bargaining agreement with the hospital expired



When Carol Jean Badertscher (pictured) refused to go on strike and abandon her patients, union bosses threatened her with fines and jail-time.

last fall. When Badertscher and other nurses refused to follow the union's dictates to walk off the job and continued to treat their patients, the local union chief thuggishly threatened them with fines and, citing an unenforceable California state law, 90 days in jail. But California's

so-called "strike-breaker" law is invalid because it interferes with provisions of the National Labor Relations Act that allow employees to continue working during union boss-ordered strikes.

With no contract containing a forced-dues clause actually in effect, the non-striking nurses could not

legally be compelled to pay union dues. Moreover, nurses who never joined the union or resigned from membership before returning to work could not legally be subjected to internal union discipline. However, the union brass also illegally told employees that their jobs would be in jeopardy if they stopped paying their dues.

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"Rather than being commended for refusing to abandon their patients, these nurses faced ugly threats of fines, imprisonment, and discharge from union bosses," said Stefan Gleason, vice president of the National Right to Work Foundation. "It is deplorable that union bosses would so cavalierly put sick and dying patients at risk."

The NLRB officials will prosecute Local 121RN before an administrative law judge in Los Angeles this month. 

