



## **Taken Advantage: SEIU Scam Targets the Most Vulnerable**

By Olivia Grady

On May 24, 2013, Minnesota Governor Mark Dayton signed a law declaring personal care assistants (PCAs) government employees, but only for collective bargaining purposes. PCAs, usually women who take care of their disabled children in exchange for a small Medicaid payment, could now be unionized.

The Service Employees International Union (SEIU) wasted no time organizing an election and claimed victory in 2014 after just 3,543 PCAs (the majority who voted in the election) out of about 27,000 supported the union.

Lakeville Resident Kris Greene and other PCAs responded by setting up an organization, MNPCA, to decertify the union. Through the process of collecting authorization cards to hold a decertification election, volunteers for MNPCA discovered evidence of fraud and identity theft on the part of the union, as profiled in the [Wall Street Journal](#) and [Forbes](#).

Some PCAs have had their names forged so union dues could be automatically deducted. Others have been tricked into signing a card allowing the dues deduction. Still others have been unable to opt out of the union. Finally, many of the addresses that the government says are the addresses of PCAs are vacant parking lots, post offices and other places where a PCA could not have lived in 2014.

Here are a few examples of the Minnesota PCAs fighting the SEIU:



1. Kris Greene

Kris is a PCA who takes care of her daughter. She doesn't want to be represented by the union. She is a co-founder of MNPCA.

She was [published](#) in the *Star Tribune* on August 7, 2016. Her article gives her reasons for wanting the SEIU out of the PCA Choice program:

*But first, we have to beat this union. They're taking millions of dollars from us, millions of dollars from our vulnerable children and millions of dollars from the generous taxpayers who wanted to help us. That's not only wrong, it's downright rude.*



2. Katherine Hunter

Katherine is another Lakeville PCA who takes care of her disabled adult child. She is also a co-founder of MNPCA. She does not want to be represented by the union.

She [explained](#) on the Center of the American Experiment's Facebook page why she objected to the SEIU representing her:

*"I am a former teacher who was a member of the teacher's union, so I know a bit about how a true union operates and I can state with some authority that the SEIU is not what they claim to be. They do not truly represent any PCA. If you are accused of harming a client in any way, the SEIU does not represent you. If you make a mistake on your timesheet and are accused of fraud, the SEIU does not represent you. If you don't like your working conditions, you cannot strike. In short, the SEIU is a false union, certified by misleading thousands of hard-working, compassionate PCAs."*



### 3. Patricia Johansen

Patricia is a PCA for her disabled granddaughter. She lives in Fergus Falls, Minnesota. In 2014, the SEIU started calling her and showing up at her door to encourage her to vote "yes" in the upcoming unionization election. She told the union many times that she was not interested in joining, but they kept contacting her. They were pushy, and she was scared.

In the fall of 2015, Patricia's son-in-law noticed that union dues were being deducted from her paycheck even though she had never signed a card

authorizing this. She demanded that the union send her a copy of the card she had purportedly signed. When she received it, she knew it was a forgery.

She [describes](#) this discovery in her affidavit:

*Within a week, I received a copy of the Union card with my information filled out and my signature forged by someone. This Union card is attached as Exhibit 1 hereto. I called Mr. Cryan back and told him that my signature had been forged and that I was certain that I was not the only one who had been victimized this way. I asked him if there was any possibility they would find out who forged my signature and he said "Yes." They were quite sure they knew who it was; they no longer worked there. Mr. Cryan said he could see the difference in the signatures and would refund the dues.*

The union did eventually refund her money.

4. Holly (not her real name)

Holly is a 29-year-old single mother from the Duluth area who was harassed by the union in 2013 and 2014. She characterized the frequent visits and phone calls by the union as stalking. She eventually told a union representative that she would vote "no" during the union election, but she never [received](#) a ballot:

*"They scared me. I didn't want them anywhere near my patient or my money. I looked for that ballot every day in the mail. It never came."*

In August 2015, she noticed dues being deducted from her pay. The union has not refunded her money.

5. Mary Barton (not her real name)

Mary is a Minneapolis area PCA for her 20-year-old disabled daughter. In February 2017, Yuliya, an SEIU representative, visited the Barton's home. She tried to get Mary to sign a card that would allow the union to deduct dues. Mary [refused](#) as profiled in the *Daily Signal*:

*But as friendly as she was, Yuliya certainly had a method and technique. She handed me a card to sign and said, 'We really would like your support.' She never said anything about membership and she just said we would like your support. Then, I started reading [the card] and saw that it meant dues would be coming out, so I yanked the card away.*

Mary did sign a card, however, that said she would get more information about the union. Suddenly, her signature mysteriously appeared on a dues

authorization card, and dues were taken from subsequent paychecks. The Bartons are convinced that the union manipulated her signature in an unlawful and unethical way and have asked for the dues to be refunded.

6. Mary Ann Howitson

Mary is a Minneapolis area PCA.

She also [signed](#) a card to authorize the union election and then was later shocked to find out that her signature allowed the SEIU to deduct dues:

*"I feel deceived and confused. If you are a PCA (Personal Care Assistant) and you want to be in a union, I think that's fine, there's that option. I just want to be able to opt out of it, and I feel like I somehow opted into it, without realizing I was doing that," said Howitson, who's among numerous home-care workers asking SEIU to drop them from the union rolls.*

7. Renee Katz

Renee is an Oakdale area mother and part-time PCA for her special-needs daughter. In February 2014, she signed a card supporting an election to form a union. She didn't realize she became a member by signing that card or that dues would be deducted.

In July 2015, she [found](#) it impossible to opt out of the union:

*"I can't get out of it. They want me to now do some letter and certify mail it. They didn't certify mail anything to me. And then every time I call or email, they try to talk me into staying," said Katz.*

She eventually changed programs to a non-unionized one.

8. Carla Henning

Carla has been an administrator for more than 8 years at 4U Home Healthcare in Grand Rapids, Minnesota. She has seen that the County Social Welfare Workers tell clients that they need to enroll in the unionized Choice PCA program to choose their PCAs. This is not the case.

In addition, the SEIU has tricked PCAs into signing dues deduction cards. PCAs have been unable to opt out. Clients have then asked to change their status to the non-unionized Traditional Program to help their PCAs.

Ms. Henning does not believe the list of PCAs is accurate because so many have changed their status.

9. William Egan

William is a canvasser for MNPCA. He has found many addresses that could not have been the homes of PCAs in 2014. He details his experience in his affidavit provided to MNPCA attorney Doug Seaton:

*On September 28, 2016, I encountered the following issue in my PCA canvassing:*

*1729 Ford Parkway (St. Paul) – This address does not exist.*

*On October 5, 2016, I encountered the following issues in my PCA canvassing:*

*15287 60th Avenue North (Plymouth) – The individual at this address has not been a PCA since 2012.*

*13890 54th Avenue North (Plymouth – This address was incomplete. The number was for a larger townhouse building, with no unit number.*

10. Benjamin Wetmore

Benjamin is a canvasser for MNPCA. He has also found that some of the addresses are non-existent. He explains this in his affidavit provided to MNPCA attorney Doug Seaton:

*In October 2016, I encountered the following issue(s) in my PCA canvassing:*

*4552 Xerxes Ave. S., Minneapolis, MN – The individual at this address is no longer a PCA.*

*2610 Cutters Grove Ave., Anoka, MN – The listed PCA has never lived at this address.*

*520 Cutter St., Anoka, MN – The listed PCA has not lived at this address in several years.*

*2168 7th Ave., Anoka, MN – This address is for a location of the United States Postal Service. The listed PCA does not reside here.*

*15426 Flournie St. NW, Ramsey, MN – The listed PCA has not lived at this address in over two years.*

*1620 E. 27th St., Minneapolis, MN – This address does not exist.*

Minnesota is not the only state with this arrangement where a governor allows unions to deduct dues automatically from Medicaid payments. At least 10 other states have this system that leads to fraud and corruption. And homecare workers aren't the only ones being hurt. Childcare providers are also experiencing this problem.

Here are some examples from other states:

1. Rebecca Hill

Rebecca is a caregiver for her daughter in Cisne, Illinois, and her daughter is part of the Illinois Home Services Program, a Medicaid program. Rebecca does not want to be represented by the SEIU.

The National Right to Work Legal Defense Foundation [sued](#) on her behalf in the Northern District court of Illinois in 2015. The Seventh Circuit Court of Appeals just [affirmed](#) the lower court's dismissal of the case.

2. Ranette Kesteloot

Ranette provides childcare in Kankakee, Illinois for her great-grandchildren who are enrolled in the Illinois Child Care Assistance Program. She doesn't want to be represented by the SEIU Healthcare Illinois, Indiana, Missouri, Kansas.

The National Right to Work Legal Defense Foundation [sued](#) on her behalf in the Northern District court of Illinois in 2015. The Seventh Circuit Court of Appeals just [affirmed](#) the lower court's dismissal of the case.

3. Carrie Long

Carrie operates a home-based childcare business, Home Away from Home Daycare, in Springfield, Illinois that takes care of children who are enrolled in the Illinois Child Care Assistance Program. She doesn't want to be represented by the SEIU Healthcare Illinois, Indiana, Missouri, Kansas.

The National Right to Work Legal Defense Foundation [sued](#) on her behalf in the Northern District court of Illinois in 2015. The Seventh Circuit Court of Appeals just [affirmed](#) the lower court's dismissal of the case.

4. Jane McNames

Jane is a caregiver in Caledonia, Illinois for her son, and her son is part of the Illinois Home Services Program, a Medicaid program. Jane does not want to be represented by the SEIU.

The National Right to Work Legal Defense Foundation [sued](#) on her behalf in the Northern District court of Illinois in 2015. The Seventh Circuit Court of Appeals just [affirmed](#) the lower court's dismissal of the case.

5. Sherry Schumacher

Sherry operates a home-based childcare business, Sherry's Littlest Angels, in South Beloit, Illinois that takes care of children who are enrolled in the Illinois Child Care Assistance Program. She doesn't want to be represented by the SEIU Healthcare Illinois, Indiana, Missouri, Kansas.

The National Right to Work Legal Defense Foundation [sued](#) on her behalf in the Northern District court of Illinois in 2015. The Seventh Circuit Court of Appeals just [affirmed](#) the lower court's dismissal of the case.

6. Jill Ann Wise

Jill is a caregiver in Mount Carmel, Illinois for her daughter, and her daughter is part of the Illinois Home Services Program, a Medicaid program. Jill does not want to be represented by the SEIU.

The National Right to Work Legal Defense Foundation [sued](#) on her behalf in the Northern District court of Illinois in 2015. The Seventh Circuit Court of Appeals just [affirmed](#) the lower court's dismissal of the case.

7. Mary Ann Rose

Mary is a caregiver for elderly patients in Deschutes County, Oregon. Her patients rely on the Homecare Choice Program, which is part of Medicaid. State policies forced her to pay union dues to the SEIU Local 503, contrary to *Harris v. Quinn*.

The Freedom Foundation and the National Right to Work Legal Defense Foundation [filed](#) a lawsuit on her behalf in 2016.

8. Donald Lambrecht

Donald is a homecare worker for David Smith in Phoenixville, Pennsylvania. He doesn't want to be a part of the SEIU and AFSCME and have dues deducted from his Medicaid payments.

The Fairness Center is [suing](#) on their behalf to stop Governor Wolf's order going into effect, which would unionize these workers.

9. Jacob (last name withheld)



Jacob is a caregiver in Washington State. He doesn't want to be part of the SEIU 775 and have union dues deducted from his Medicaid payments.

Jacob was a [member](#) of the SEIU from 2009 to 2014. He saw no benefit to being a part of the union. He was shocked to learn about the six figure salaries of the union leaders.



10. Marcia (last name withheld)

Marcia is a caregiver for her adult child in Washington State. She never wanted to be part of the SEIU 775. Dues were [deducted](#) from her Medicaid payment every month without her permission.



## 11. Miranda Thorpe

Miranda is a caregiver for her daughter who has a disability in Washington State. She never signed a card allowing the state to deduct union dues. However, the union, SEIU 775, deducted dues from her Medicaid payment.

The Freedom Foundation [sued](#) on her behalf in 2015 to strike down the “opt-out” scheme. The Washington Supreme Court is hearing her [case](#) now.

Only action from the Administration or Congress can fix this problem and ensure that Medicaid money is properly used for those in need.

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*To learn more, please visit the Center for Worker Freedom’s website at [workerfreedom.org](http://workerfreedom.org).*