

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
20-CB-12233	8/2/2004

INSTRUCTIONS: File an original and 4 copies of this charge and an additional copy for each organization, each local, and each individual named in Item 1 with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name California Nurses Association	b. Union Representative to contact Nikia George
c. Telephone No. 510-273-2200	d. Address (street, city, state and ZIP code) 2000 Franklin Street, Oakland, CA 94612
e. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>8(B)(1)(A)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.	

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On or about June 24, 2004 I sent a certified letter to the California Nurses Association reaffirming that I wish to be an objecting non-member. I further directed the CNA to deduct from my paycheck only that portion of dues which reflects my pro rata share of collective bargaining costs. As of this date the CNA has not taken such action. Furthermore, upon inquiry with the CNA membership department I was informed that it is not CNA policy to deduct the pro rata cost from objecting non-members. Instead, the CNA informed me that the portion of dues which would otherwise have gone to political activity is directed into the general fund. This is clearly a violation of my rights under federal case law.

I was informed that the contract between the CNA and my employer, Mercy General Hospital, does allow for a reduced union fee for objecting non-members. However, that reduction has not been reflected in my paystubs and it is unclear whether that reduction reflects only the pro rata share of collective bargaining expenses. I tend to doubt that it does given the pittance of a reduction that is offered. It certainly cannot cost the CNA \$75 per nurse per month to collectively bargain with mercy general hospital.

I originally sent a certified letter asserting my objecting non-member status in January of 2004. I received a letter from the CNA stating that they would make the appropriate correction to my paycheck to reflect my non-member status. However, since their reply they have not made any adjustment to my paycheck. The letter of June 24 discussed above was sent as a reaffirmance of my original letter of January 2004.

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3. Name of Employer Catholic Healthcare West, Mercy General Hospital	4. Telephone No. 916-433-4545
5. Location of plant involved (street, city, state and ZIP code) 4001 J Street, Sacramento, CA 95819	6. Employer representative to contact Human Resources Department?
7. Type of establishment (factory, mine, wholesaler, etc.) Hospital	8. Identify principal product or service Healthcare
9. Number of workers employed 200+	10. Full name of party filing charge Miriam R. Conant
11. Address of party filing charge (street, city, state and ZIP code) 9028 Fernway Court	12. Telephone No. 916-233-5959

13. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By Miriam R. Conant Registered Nurse
(signature of representative or person making charge) (title or office, if any)
Address 9028 Fernway Court, Elk Grove, CA 95758 916-233-5959 07/30/04
(Telephone No.) (date)