

Dear Member,

We, as members of SEIU Local 503, OPEU, many of whom also serve as members of the Board of Directors, have undertaken a Recall Campaign. We hope this effort will result in the removal of our current president, Joe DiNicola, from office. For a list of members seeking this recall and more detailed information, please go to our website at: <http://home.comcast.net/~lowda/index.htm>

A recall is sought because we have lost confidence in President DiNicola and his ability to lead our union. This campaign is not retaliatory. It is based on the fact that we no longer have confidence in the judgement, job performance and leadership of Joe DiNicola. We believe our decision to take measures this drastic is warranted and in the best interest of the membership of SEIU Local 503. The final decision must ultimately be made by the 503 membership. To prompt a statewide election of recall, the SEIU Local 503, OPEU Constitution and Bylaws requires signatures from 20% of those members eligible to vote.

Mr. DiNicola has diverted energy, attention and resources of members, union staff and the union as a whole from the business of the union and its members. He has irrevocably damaged the working relationship between himself and members, bargaining committees, union staff and other entities.

On February 26, 2008, Judge Albin Norblad presented his decision of summary judgement on Joe DiNicola's lawsuit, in which Joe requested to be compensated with overtime for any hours he had worked in excess of 40 since he took office in November of 2004. The initial request totaled over \$100,000.00. Although this suit has cost our members, not only legal fees and other costs associated with any lawsuit, it has also taken its toll on our members and our union as a whole.

**Oregonian - Saturday, March 1, 2008**

## Judge rejects union chief's bid for overtime pay

**Local 503 | The head of Oregon's largest state employees union is facing a recall attempt**

An Oregon judge has rejected an attempt by the elected leader of Oregon's biggest state employees union to collect nearly \$110,000 in overtime pay he said he was owed as president of Local 503 of Service Employees International.

In essence, Marion County Circuit Judge Albin Norblad said Joe DiNicola is management and thereby exempt from overtime.

DiNicola continues to face a recall effort mounted by union members upset that he tried to collect huge overtime payments.

DiNicola has been on leave from his job as a corporate tax auditor at the Department of Revenue since becoming the local's president in 2004. The union has paid his regular salary plus a \$400 monthly stipend, a \$245 monthly car allowance and a flexible medical benefit of \$140 a month.

DiNicola filed a wage claim with the state after the Local 503 board ruled he was not eligible for overtime. Norblad agreed in a Feb. 21 ruling, saying DiNicola qualifies as a "bona fide executive, managerial and/or administrative employee" who is exempt from overtime.

Neither DiNicola nor his attorney, Kevin Lafky, could be reached for comment.

Board member Star Holmberg, one of the supporters of removing DiNicola from his position, said the court action should spur the campaign to collect signatures on a recall petition. She said some union members wanted to see if the courts found merit in his wage claim before considering whether to sign a recall petition.

*— Jeff Mapes*

Please help trigger an election of recall by signing below. Copies can be made for other members.

<b>PETITION TO RECALL JOE DINICOLA, PRESIDENT</b>	
<p>I, the undersigned member of SEIU Local 503, OPEU, have no confidence in the job performance, leadership and judgment of President Joe DiNicola. I seek the removal of the president of SEIU Local 503, OPEU, Joe DiNicola, by means of a recall election following the provisions and procedures of the SEIU Local 503, OPEU Bylaws Article I, Section 9.</p>	
<hr/> <b>Member Signature</b>	<hr/> <b>Date</b>
<hr/> <b>Print Your Name</b>	<hr/> <b>Home Phone Number</b>
<hr/> <b>Address</b>	
<hr/> <b>Agency/Worksite</b>	

**Mail to: MidValley Recall Squad, 29140 NW Tampico Road, Corvallis, OR 97330-9364**