

SEIU MEMBERS RECALL ACTION

<http://www.joemustgo.info/>

You may have heard rumors about a dispute going on in our union about our union president's compensation. Here is some information that might be helpful to you as you consider signing the recall petition:

- In March 2007, President DiNicola told our Board of Directors he believed he was entitled to compensation for volunteer time he worked in excess of forty hours per week or eight hours per day that he accumulated from the time he took office in November 2004. He claimed he worked 2,596 hours of "overtime," which comes out to \$113,549.04 at straight time, and \$179,323.56 at time and a half. This is in addition to his total compensation of \$219,925 which has already been paid by SEIU on his behalf through April 2007.
- Joe waited 28 months after taking office to assert his claim for "overtime" pay, then filed a grievance, right in the middle of contract bargaining negotiations, when the Union must remain focused on members' priorities. After filing a grievance, he later went on to file a law suit against his employer. Although his suit is against the State of Oregon, it is our Union that would bear the cost if he prevails.
- No former president of SEIU Local 503 has ever claimed "overtime." SEIU will reimburse the President's employer for hours worked "up to full-time," as per our Constitution and Bylaws. According to a special agreement between SEIU and the Department of Revenue, Joe "retains" the right to his position with the Department of Revenue while he serves as an elected officer of the Union. SEIU reimburses the Department of Revenue at the rate of Joe's annual salary plus benefits; there is no provision for unauthorized "overtime."
- In order to evaluate Joe's claim, our Board of Directors sought outside legal counsel from a firm specializing in union financial matters. That firm, [Bredhoff & Kaiser, issued a 22 page report](#). They concluded that granting Joe's claim would be both inappropriate and illegal. They also found that Board members would be in violation of their fiduciary responsibilities if they granted Joe's claim. Based on the Bredhoff & Kaiser report, in April 2007, the Board of Directors rejected his claim for overtime payments.
- In addition to reimbursing the State for Joe's full-time salary and benefits, the Union has paid Joe **each month** from the time he assumed office, all of the following: a car allowance of \$245, a flex benefit of \$140, a stipend of \$400, and a 5% differential of \$257, plus mileage and other expense reimbursements. The Board concluded that it was not appropriate for one member to earn six figures and be paid for every hour of union activity when the rest of us log countless hours without expecting to be compensated beyond our forty hour work week. That would be a double standard inconsistent with our union principles of fairness and equality.
- Members and organizers of SEIU put in thousands of hours of unpaid time to help build our Union. In May 2007, the Board of Directors instructed Joe to limit his work to forty hours per week, and anytime he worked beyond 40 hours would still be considered volunteer time. Although the Board asked Joe to flex and volunteer his time, like other members do, he refused to do so. In fact, he has walked out of Board meetings as soon as he reached his forty hour mark.
- On July 13, 2007, Joe also filed a second legal action; [a discrimination and retaliation complaint with BOLI \(Bureau of Labor and Industries\)](#). The complaint has been filed against SEIU International, SEIU Local 503 OPEU, and the Department of Revenue. This complaint also lists the names of several well known and respected leaders and officers of Local 503 without specifically charging them with any wrong doing.
- On July 14, 2007, a majority of Directors and Assistant Directors presented a signed "[Expression of No Confidence](#)" in Joe DiNicola's judgement, job performance, and leadership as President.