

WHAT'S *WRONG* WITH THIS PICTURE?



AL GILBERT (FELTON CEO)
Management

Felton Workers

VS



Felton Institute is Union-Busting



Tuesday, April 25, 2023
SF Board of Supervisors

What's happening at Felton?

- **Felton Institute workers, a majority of whom are women and people of color, provide crucial social and mental health services to the Bay Area's most vulnerable community members.**
- **Years of short staffing, lack of support, retaliation for union activity, and low pay for frontline workers have led to burnout and a 27% average turnover rate over the past five years—all of which impact client services.**
- **Felton's workers have been organizing to join our union and improve their working conditions, but they have been met with harassment, lies, and unfair labor practices.**

SEIU 1021 represents 30 nonprofits in San Francisco

- Our members have fought and won strong contracts that help attract and retain talented workers to serve our city's residents.
- We have secured badly needed funding for crucial services that our members deliver to vulnerable San Franciscans.
- Our members work at a broad range of nonprofits including HealthRIGHT 360, Tenderloin Housing Clinic, Project Open Hand, HomeRise, Institute on Aging, Conard House, Catholic Charities, Hyde Street Clinic, Larkin Street Youth Services, and more.
- Currently, about 10% of Felton's staff is represented by SEIU 1021 and are bargaining a new contract. Now, despite fear of retaliation, Felton's non-union staff seeks to join their coworkers as valued members of SEIU 1021.

Felton workers experience union-busting and intimidation

- Shop steward and contract bargaining team member, Ana Pedroza, was put on admin leave for two weeks for wearing a union shirt.
- Shop steward and contract bargaining team member, Mariah Semeit, was denied the presence of her union rep in a disciplinary meeting.
- Workers were harassed by management for wearing union shirts, a protected union activity under NLRA
- While Felton has withheld implementing bonuses to the union-represented workers until a tentative agreement is reached, they implemented bonuses for the non-union employees starting September 30, 2022. This is another example of union-busting by dividing and conquering through “perks” to non-union employees to discourage unionization.



(Beth LaBerge/KQED)

"We're scared. I'm scared. I'm scared I'm going to lose my job. I'm scared that my clients are going to be left with no support. (...) They have called the cops on us. They have threatened us. They have terminated people. They have put people on leave."

- Employment and Education Specialist Eva Cisneros when asked about unionization efforts at Felton Institute

Felton is violating the neutrality agreement with SEIU 1021

- Felton Management signed the ongoing legally-binding neutrality agreement with SEIU 1021.
- In that agreement, they promised to remain neutral and not try to discourage unionization through coercion, intimidation or discipline.
- Felton is flagrantly violating their legal commitment to remain neutral during the organizing campaign, with workers expressing they are receiving anti-union emails and experiencing harassment by management outside of the workplace.

Empty promises

B. The Agreement shall be effective July 1, 2019 and shall remain in full force and effect until and through June 30, 2022 and shall extend year to year unless notice to amend or modify is served by either party upon the other at least sixty (60) calendar days prior to the expiration date of this Agreement via certified USPS mail to the Chief Operations Officer (COO), Chief Financial and Operations Officer (CFOO), and Vice President of Human Resources (VP of HR) of the Felton Institute/FSA and to the designated Field Representative and San Francisco Field Director of SEIU 1021.

During the term of the contract, there shall be a wage and health benefits reopener no later than November 1st of every year.

FELTON INSTITUTE/FSA


Al Gilbert, President and CEO


Marvin Davis, CFO


Liz Dalmacio-Tyson, CPO



Yohana Quiroz, COO


SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 1021


Hector Cardenas, Field Representative


Elizabeth Mendoza, Bargaining Team


Reyna Ferreira, Bargaining Team


Mariya Rebecca Semeit, Bargaining Team


Xiu Min Li, Field Supervisor


Jason Klumb, SF Region Field Director


John Stead-Mendez, Executive Director

Section 4: Card Check Neutrality

The Service Employees International Union Local 1021 (“The Union”) and Family Services Agency or Felton Institute (“The Employer or The Agency”) hereby agree to the following recognition procedure for all full-time and part-time staff, employed at the Agency not already covered by the existing Memorandum of Understanding.

The value of a respectful, cooperative and constructive relationship between the Employer and the Union is recognized as essential and mutually beneficial for the Employer’s continued success. The Union is considered a valuable partner in achieving this success.

The Employer agrees to adopt a position of neutrality with regard to any organizing campaign or effort that could affect the Union’s representation of the acknowledged appropriate bargaining unit. Neutrality means that, except as explicitly provided herein, the Employer will not in any way, directly or indirectly involve itself in or help or hinder Union efforts to campaign or influence bargaining unit members to sign authorization cards or otherwise aid, assist or support the Union.

A copy of a portion of the neutrality agreement with SEIU 1021, along with signatures of the CEO, CFO, CPO, and COO of Felton Institute shows they are lawfully bound to remain neutral. They have not.

Felton is failing their workers

- **The National Labor Relations Board (NLRB) has found merit with numerous unfair labor practice charges filed by SEIU 1021, and management is trying to delay resolution and avoid resolving these issues for their workers. Felton's shameful & unlawful behavior includes but is not limited to:**
 - **Calling the police on employees engaged in protected concerted activities and holding a mandatory captive audience meeting to urge workers to reject union representation.**
 - **Terminating and threatening employees with discipline for supporting the union and/or engaging in legally-protected union activities.**
 - **Coercively questioning or interrogating employees about their union activities and telling employees that if they aren't in the union they have no right to engage in union activities.**
 - **Engaging in unlawful surveillance and/or creating the impression of by taking pictures and/or videos of employees and/or taking down their names. Management also unilaterally implemented and enforced an unlawful rule to prohibit employees from wearing union paraphernalia.**

Felton leaders keep giving themselves raises

While they fight Felton workers' unionization efforts to ensure higher wages and better benefits, Felton's C-Suite and executive team pay themselves six-figure salaries. In 2021, Al Gilbert was paid over \$321,000 (\$165 per hour), while Felton's teachers made as little as \$17.50 an hour as recently as 2022 — more than 9 times less than their CEO. *



Felton Institute's unethical behavior reflects poorly on San Francisco

- It is shameful for Felton to receive 95% of their funding from public dollars while disregarding the rights of its workers to form a union and have a voice at work.
- It is alarming for a city-funded nonprofit to brazenly defy the legally-binding neutrality agreement they signed and repeatedly lie about it in the face of so much evidence.
- Any organization that receives millions of tax dollars from San Francisco must be held to a higher standard of conduct.
- Felton's reprehensible treatment of their workforce runs counter to the values of our communities and is a blatant violation of the National Labor Relations Act and the rights of workers to organize.

Felton receives over 20 million dollars in SF funding

Felton Contracts with City and County of San Francisco, FY2020-21

Department	Program Award
Department of Public Health	\$ 13,901,330
Human Services Agency	\$ 3,057,277
Office of Early Care and Education	\$ 2,095,554
Department of Children, Youth and their Families	\$ 842,420
Children and Families Commission (First 5)	\$ 636,884
Department of Homelessness and Supportive Housing	\$ 217,350
Sheriff's Department	\$ 70,989
Total	\$ 20,821,804



Our ask to you:



- **Hold Felton Institute accountable to follow all aspects of their current agreement with SEIU 1021, including honoring the neutrality agreement.**
- **Ensure that Felton respects the rights of workers to organize under the National Labor Relations Act if they are to continue receiving funding from the city & county of San Francisco.**
- **Instruct Felton to return to the bargaining table in a timely manner and to bargain in good faith with SEIU 1021 until we reach an agreement.**