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Hyatt Asks Labor Board For Secret Ballot Vote

Long Beach Hotel Wants To Stop What It Calls Union Harassment And Let Employees Vote



The Hyatt Regency Long Beach filed a petition on March 3 with the National Labor Relations Board calling for a secret ballot election for its employees to vote on whether they would like to be represented by the labor union UniteHere. Hyatt Hotel Corporation properties in Indianapolis, San Francisco and Santa Clara also filed a petition (Photograph by the Business Journal's Thomas McConville)

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Claiming that their employees have been harassed by a union for the past three years – including visits to employee homes – a major hotel chain earlier this month said enough is enough and is seeking intervention by the National Labor Relations Board (NLRB).

The Hyatt Regency Long Beach, along with Hyatt Hotel Corporation properties in Indianapolis, San Francisco and Santa Clara, asked the NLRB, the federal agency safeguarding employee rights, to step in and conduct a secret ballot vote of hotel employees to determine if they wish to be represented by the labor union UniteHere.

As of press time March 12, the NLRB had not made a decision.

Hyatt Long Beach General Manager Jeff Pace asserted that UniteHere representatives have been harassing employees to the extent that “our associates have been visited at their home morn-

ings, evenings, on holidays to the point where we’ve had associates turn the sprinklers on people,” Pace said. “We’ve had associates call the police on them in order to get the representatives from the union to leave them alone. It hasn’t worked.”

Leigh Shelton, spokesperson for UniteHere Local 11 in Los Angeles, called Hyatt’s petition a “publicity stunt.” In a March 10 letter to John Wilhelm, the president of UniteHere, Hyatt’s corporate office denounced that claim and asked the union to agree to the election.

If an election moves forward, it would allow hotel workers to vote on whether or not they would like UniteHere to be their bargaining representative. The union group represents workers in the hospitality, food service, textiles, laundry and other similar industries.

The rare employer-filed petition calls for a secret ballot vote, which prevents the hotel employees from being accessed by union representatives at the polls. “There’s a great deal of pressure and certainly the possibility of intimidation and coercion when that occurs as opposed to secret ballot,” Pace said. He added that Hyatt believes this method is more appropriate

than voluntary recognition – a process UniteHere has been working to implement over the years.

Under current law, if a union gets at least 50 percent of employees to sign authorization cards, an employer can either voluntarily recognize the union or request a secret ballot election. Although the Hyatt has petitioned the NLRB, the employer has asked UniteHere to consent to the secret ballot election in order to expedite the process.

UniteHere has opted to wait for the board to either approve or deny Hyatt's request. If the NLRB approves the election petition, a vote may happen within 40 days.

Pace said that about three years ago, there was a labor peace initiative brought to the Long Beach City Council by UniteHere, asking that Hyatt Long Beach and the Long Beach Marriott become union hotels, as both properties are on city-leased land. That effort was unsuccessful, and Pace said for the past couple of years UniteHere has shifted its focus to the Hilton Long Beach as well as the Hyatt.

Pace said the company is not anti-union, pointing out that the Hyatt Hotel Corporation has union and non-union hotels. "We're pro-employee and I just feel that the employees should be the ones to choose if they want to be part of a bargaining unit, if they desire that. If they vote, and NLRB honors the vote, and they do vote and they choose to be represented by the union, then we'll honor that."

Hyatt Long Beach and Hyatt Global Corporation have come under fire before for what Pace called claims of "unfair labor practices." The entities are currently involved in a class action lawsuit filed by a group of its workers who claim the hotel did not pay for all hours worked, did not provide meal breaks and were not paid for missed breaks – all of which are required under California labor law. That lawsuit, filed in May 2009, is still in the pipeline, according to Shelton.

According to a prepared statement by Robb Webb, chief human resources officer for Hyatt Hotels Corporation, in a number of locations where UniteHere already represents Hyatt associates, union leadership has delayed coming to the bargaining table in an attempt to pressure Hyatt into "card check" at the four California and Indiana hotels that have filed petitions. Card-check eliminates an employee's right to a private vote, Webb noted.

"Many of our associates are union members, and we are proud of the great relationship we maintain with them," Webb said in the statement. "Unfortunately, UniteHere leadership is engaging in an organizing tactic designed to increase union membership and dues at the expense of many union Hyatt associates who have been working without contracts for more than a year. By delaying contract negotiations for so long, UniteHere is using its own members as pawns in a national campaign to grow membership elsewhere rather than representing their best interests.

"The law makes clear that our associates have the right to decide on representation in a government-supervised secret-ballot election with certain rules and parameters," Webb wrote. "We believe that the democratic voting process administered by the NLRB for more than 75 years is the best way to assure that our associates' voices are heard."

Pace said hotel business has been impacted by the national and state economy, and UniteHere's boycott only adds to Hyatt's challenges. Nonetheless, Pace said there are plans to renovate the hotel guest rooms starting in the fourth quarter of this year and to upgrade its meeting space in 2012. ■