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Unions shouldn't be D.O.A. at Catholic hospitals: Catholic health-care systems and other employers have let themselves be drawn into all-out opposition to unionizing efforts at their institutions. In the process, a Catholic lawyer says, they have betrayed Catholic teaching; sounding board

By Thomas Schindler

THAT HOSPITAL in town calling itself Catholic—you know, the one named St. Joe's or Holy Innocents or Our Lady of Mercy—is it really Catholic? How do you determine if it's truly in tune with the Catholic Church?

In recent years much attention has been paid to Catholic hospitals' policies on a range of respect-for-life issues. But to find out if a hospital is Catholic, you also ought to check out its employee policies and practices, particularly with regard to unions. I would argue that if it is hostile toward unions—which is often the case—then the hospital's claim to being Catholic suspect at best.

For some, hearing that the Catholic Church even has a position on unions may come as a surprise. Shouldn't any church limit its concern to the salvation of souls and leave the messy business of politics, economics, and business to those who know what they are doing?

The Catholic Church has never bought that. It is concerned with anything that threatens human dignity. And those who have been pink-slipped—or even threatened with it—know what that has done for their dignity.

According to Pope John Paul II's encyclical *Laborem Exercens*, workers have a right “to form associations for the purpose of defending the vital interests of those employed in the various professions... The experience of history teaches that organizations of this type are an indispensable element of social life, especially in modern industrialized societies.”

And the U.S. Catholic bishops in their 1986 pastoral letter on the economy state: “No one may deny the right to organize without attacking human dignity itself.”

Both in U.S. culture and in the Catholic Church, the starting point for talking about unions is human dignity.

The prevailing U.S. culture focuses on the dignity of the individual standing alone. Under this ideology, that dignity rises or falls depending on whether the individual enjoys various freedoms—speech, religion, assembly. When it comes to unions, individuals are seen to have a right to lobby and vote for

or against unions. On the other hand, organizations, including hospitals, have a right to state and press their case against having a union.

The fact that an organization has more power and resources is not considered. Both employees and management are simply “exercising their freedom.” If employees vote against a union, the matter is finished. If unionized employees strike, management has the right to exercise its freedom of hiring permanent replacements. In all this, an individual’s dignity is expressed in his or her “freedom of choice.”

FOR THE CATHOLIC CHURCH, ON THE OTHER HAND, THE starting point is the dignity of the person as realized in community. Our dignity rises or falls with and through our interactions with others. In addition to the civil rights that guarantee the individual freedoms of speech, religion, and so forth, the church recognizes social rights—rights to what an individual needs to become a full member of and participant in society. These include the right to a job, health care, education, housing, and food. An individual lacking food or a job finds herself at the margins of society, unable to participate fully; her dignity is demeaned.

Moreover, the Catholic Church recognizes that within society inequalities of power exist, a political leader has more power than an individual citizen, a manager more than an employee.

Ever since Pope Leo XIII’s *Rerum Novarum*—the church’s first social encyclical, issued in 1891—Catholic social teaching has recognized unions as a social right. Given the power differentials that exist in the workplace, unions are a means for employees to have a voice, allowing them to speak up without being threatened or fired. According to the Catholic Church, that power must not be undermined by union-busting activities, such as permanently replacing striking employees.

The Catholic tradition does not demand every organization be unionized. But it does require organizations to have in place some means whereby employees can collectively press their case even when it runs counter to management’s position. Without that, human dignity is compromised.

THEORY, OF COURSE, IS FINE; BUT DOES IT REALLY MAKE A difference whether a hospital calling itself Catholic is following the church’s stance on unions? It certainly does if you are a patient at the hospital. Who do you think best knows your situation, best knows the impact of hospital policies on you and other patients? Administrators who will find out from statistics a few months down the road? Physicians who walk out of your room before you get a chance to speak to them? Or nurses and other hospital personnel who regularly interact with you? And who has the power to set and enforce policy? A hospital that refuses to share power with those who know what is happening places patients at risk.

OK, OK, so according to Catholic social teaching unions are a social right and Catholic hospitals should be evaluated on their policies and practices with regard to unions. Then how do they rate? To be honest, by and large, fairly

miserably.

Many large Catholic hospital administrators are opposed—even hostile—toward unions. They frequently hire union-busting consultants and lawyers when employees start to organize. In their efforts to keep unions out, they often use anti-union rhetoric, misrepresentation, intimidations, threats, disciplinary actions, and terminations.

When service and maintenance staff at Holy Cross Medical Center in Mission Hills, California started to organize, hospital administrators called mandatory one-on-one and group meetings to oppose the effort and implied that people's jobs were on the line. A pro-union housekeeper who had been on the job for 15 years was fired.

Service employees report that a Dominican sister, a regional representative of the Catholic hospital network that runs Holy Cross, "told us about how bad the union was ... We were made to feel that the church and the hospital were one." When Gary Smith, chair of the Justice and Peace Commission of the Archdiocese of Los Angeles, wrote a letter to workers explaining the church's social teaching in support of unions, the network, Providence Health Systems, responded by asking Cardinal Roger Mahony to remove him from the commission.

According to nurses quoted by the Service Employees International Union (SEIU), St. John West Shore Hospital in Westlake, Ohio even used regular prayer services in the chapel to help "create the impression that forming a union is inconsistent with Catholic principles."

IF CATHOLIC HOSPITALS ARE IN OPPOSITION TO CATHOLIC social teaching on unions, how do they get away with it? The answer is silent—and not-so-silent—complicity.

Most Catholic hospitals are to some degree answerable to the religious orders that founded them. But too many of these orders are either looking the other way or actually supporting the anti-union activities in their hospitals. One religious order with a self-proclaimed strong commitment to social justice saw nothing wrong with anti-union sentiments and expressions among its members when employees at some of its hospitals were seeking union representation.

Bishops, too, tend to turn a blind eye and deaf ear. There have been notable exceptions: The late Cardinal John O'Connor of New York—whom a union local once hailed as "the patron saint of health-care workers"—ordered four Catholic hospitals to hire back strikers they had fired during one strike and forced another Catholic hospital to stop hiring permanent replacement workers during another strike.

More common, though, is the recent experience at a parish in the Diocese of Brownsville, Texas. When the newly appointed pastor arrived with diocesan officials, his first act was to fire four employees covered by a union contract, including the person who had led the unionization effort in that parish. While the bishop claimed no involvement, it took two months of negotiations with the

diocese to get the employees reinstated.

Unfortunately, even though bishops tend to rail against “cafeteria Catholics” picking and choosing what parts of church teaching they accept, some of them have no qualms doing just that on this issue.

Not everything is bleak, however. In recent years several positive developments have occurred. In 1999 a groundbreaking dialogue between Catholic health-care leaders, the AFL-CIO, and Catholic bishops led to the development of the working paper *A Fair and Just Workplace: Principles and Practices for Catholic Health Care*. And in 2001 the SEIU and Catholic Healthcare West—which operates 41 Catholic hospitals in California—established a working agreement and now have a better relationship. Although the overall percentage remains small, over the past couple of decades employees at several Catholic hospitals across the country have successfully organized themselves into unions.

In the end, support for unions is a matter of human dignity. Employees in hospitals—as well as in Catholic schools, parishes, and other institutions—have a right to a voice. And given the asymmetry of power between employees and management, that right needs the protection of organization. In addition, in the case of hospitals, the dignity of those of us who come there for treatment is also at stake.

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