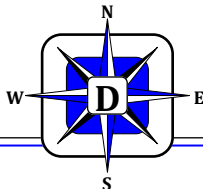




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The SEIU Unionization of Public Employees of North Carolina Gov. Perdue's Executive Order 45: First Step to Collective Bargaining for State Employees

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John Davis Political Report is a weekly essay about the political trends impacting North Carolina politics. A Premium Subscription through the 2010 elections is only \$500. **Make checks payable to John Davis Consulting, EIN 26-3064837, and mail to P.O. Box 30714, Raleigh, NC 27622.** Davis has followed NC politics for 24 years, serving as President of NCFREE, a political research group, where he was Editor of the *Almanac of North Carolina Politics*. Davis specializes in analyzing political trends, candidates and campaigns.

"[Executive Order 45] means that we can discuss the terms and conditions of our employment."¹

Dana Cope, Executive Director, SEANC (SEIU Local 2008), Jan. 25, 2010

The State of the Union Money in North Carolina Politics

In last Sunday's News and Observer, the editorial page carried a misleading op-ed piece written by Gene Nichol, a law Professor at UNC-Chapel Hill. Professor Nichol was spitting mad about last week's US Supreme Court decision that gave unlimited independent political free speech rights to corporations **and unions**. "I find no words to convey adequate outrage over Friday's US Supreme Court decision, in the *Citizens United* case, to radically untether corporate spending in our electoral politics," fumed Professor Nichol, "It is bizarrely anti-democratic."²

Why misleading? If Professor Nichol had taken the time to read the decision before regurgitating his sanctimonious ire, he would have discovered that the ruling applies to both corporations **and unions**. Yet, not once in his editorial, titled *Supreme corporations*, did Professor Nichol include "unions" as he decried the corrupting influence of money. The *Citizens United* case can be found on the US Supreme Court's web site.³ The phrase "corporations and unions" appears 26 times in the opinion. Everything corporations can now do, so can unions.

While Nichol assails corporate political spending, he fails to mention that unions contributed over \$5 million in 2008 to North Carolina politicians; 98% of their money going to Democrats.

¹ <http://www.seanc.org/news/homepagenews.aspx>

² http://www.newsobserver.com/opinion/columnists_blogs/other_views/story/299567.html

³ <http://www.supremecourtus.gov/opinions/09pdf/08-205.pdf>

Unrestrained Spending by Public Employee Unions

Perhaps the reason Professor Nichol, a public employee, overlooks big union money in North Carolina politics is because almost all of the union money comes from public employee unions. Of the \$5,032,908 spent by unions in 2008 on North Carolina candidates, \$4,532,540 was spent by public employee unions and their affiliated unions. Here are the facts:⁴

- SEANC (State Employees Assn. of NC) contributed \$243,706 to NC candidates
- Democratic candidates received \$218,956 of SEANC money, or 90%
- Republican candidates received \$24,750 of SEANC money, or 10%

- SEANC is Local #2008, affiliated with SEIU (Service Employees Int'l Union)
- SEIU invested \$1,810,566 in NC candidates in 2008
- Democrats enjoyed \$1,760,556 of SEIU's money, or 97%; Republicans 3%
- SEIU gave the North Carolina Democratic Party over \$1 million

- NCAE (NC Association of Educators) contributed \$265,330 to 200 NC candidates
- Democratic candidates received \$245,980 of NCAE money, or 93%

- NEA (National Education Association) invested \$2,212,936 in NC candidates
- 100% of NEA's \$2,212,936 went to help Democrats; Republicans 0%
- NEA ran a \$1.7 million independent expenditure campaign for Bev Perdue

Additional union funds invested in 2008 and conveniently overlooked by Professor Nichol:

- United Auto Workers union gave the North Carolina Democratic Party over \$100,000
- DRIVE, the Teamsters union, contributed \$361,617 to NC Democrats
- IBEW (International Brotherhood of Electrical Workers) gave \$36,500 to Democrats
- UFCE (United Food and Commercial Workers) contributed over \$100,000 to the Democratic Party of North Carolina

UNC law Professor Gene Nichol writes, "A system of government in which those who seek certain policies are allowed to spend unrestrained sums on behalf of those who make the policies can be called many things. 'Democratic' and 'fair' are not among them." Why is Nichol only including corporate "unrestrained sums?" What's "fair" about excluding unions?

If UNC law Professor Gene Nichol would go to the website, www.opensecrets.org, and do a search on the largest political independent expenditure groups, he would discover that SEIU is #1 on the list of the Top 100 all-time biggest spenders.⁵ In 2008, SEIU spent \$85 million to influence the outcome of elections, and was rewarded by President Obama with support for the Employee Free Choice Act legislation and top White House jobs including political director, and positions on the National Labor Relations Board and the president's Economic Recovery Advisory Board.⁶

⁴ Union contributions and independent expenditures database provided by Civitas Institute

⁵ <http://www.opensecrets.org/orgs/index.php>

⁶ The Wall Street Journal, *SEIU Campaign Spending Pays Political Dividends*, May 16, 2009

In 2006, SEIU spent \$635,000 in North Carolina elections on TV and radio ads, mailings, opinion polls, and Get-Out-The-Vote phone banks – **more than ANY BUSINESS PAC in NC**. SEIU also contributed more than 10% of the total budget of *FairJudges.net* to run ads statewide for NC Supreme Court candidates in 2006. In 2004, SEIU spent \$650,000 just on NC legislative races.

Perhaps it was just an oversight. Surely Professor Nichol intended to include *unions* among those who have rendered our system of government undemocratic and unfair because of their unrestrained spending. And surely he intended to include the UNC-Chapel Hill PAC.

According to Democracy North Carolina, the state's leading campaign finance watchdog, "A group of UNC-Chapel Hill boosters called *Citizens for Higher Education* gave \$479,000 to legislative candidates during the 2008 election, **more money than any other PAC**."⁷ Oh well, just another one of Nichols' inadvertent exclusions from those who have rendered our system of government undemocratic and unfair because of their unrestrained spending.

Governor Bev Perdue's Executive Order #45

On May 3, 2008, the State Employees Association of North Carolina (SEANC) voted to officially affiliate with Service Employees International Union (SEIU). SEANC is now known as *SEIU Local 2008*, and is the South's leading state employee association with its 55,000 members.

During the 2008 election cycle, SEANC and SEIU invested \$2,054,271 in North Carolina politics. They, along with fellow public employee unions NEA and the NCAE, invested \$1,846,219 to help Beverly Perdue win the governor's race in 2008.

Last Friday, Governor Perdue signed Executive Order #45, a move characterized by *The Insider* on Tuesday this way: "Gov. Beverly Perdue has issued an executive order that pushes state employees a little closer to collective bargaining rights."⁸ Dana Cope, Executive Director of SEANC, SEIU Local 2008, sees it similarly. "[Executive Order 45] means that we can discuss the terms and conditions of our employment."⁹

UNC law Professor Gene Nichol writes, "A system of government in which those who seek certain policies are allowed to spend unrestrained sums on behalf of those who make the policies can be called many things. 'Democratic' and 'fair' are not among them." Like it or not, as of last Friday's US Supreme Court decision, in the *Citizens United* case, unrestrained independent expenditures by corporations *and unions* is the law.

UNC law Professor Gene Nichols' diatribe in last Sunday's News and Observer described untethered *corporate* spending in our electoral politics as, "bizarrely anti-democratic." He said that he could not find words to adequately convey his outrage. Not including *unions* in his op-ed piece is bizarrely anti-accurate. Perhaps the next time he needs to try to find words that adequately interpret the law.

⁷ Democracy North Carolina, Press Release: Friday, June 26, 2009; *Special-Interest PACs Guard Tax Loopholes*

⁸ <http://www.governor.state.nc.us/NewsItems/ExecutiveOrderDetail.aspx?newsItemID=884>

⁹ <http://www.seanc.org/news/homepagenews.aspx>