

# State of California Rules SVMH Lockout Illegal

In an expedited decision late yesterday (June 22, 2011), the State of California Public Employee Relations Board ruled that SVMH administration broke the law by threatening to and then locking out striking NUHW members.

Now charged by the State, SVMH will now stand trial for its unlawful act and is likely to be required to pay any locked out employee for **ANY LOST WAGES PLUS INTEREST** for SVMH's illegal acts.

## **\$600 an Hour Attorney Gives Advice Likely to Cost SVMH Hundreds of Thousands of Dollars**

Unfortunately, a majority of the board and administration blew it again when they relied on the bad advice from SVMH's \$600 an hour attorney that a lockout was somehow okay, contrary to state law and a signed agreement with our union that prohibited the lockout.

## **SVMH Board Lead by Board President Jim Gattis Breaches Fiduciary Duty**

In what appears to be a significant breach of its fiduciary duty to the district, a majority of the board also ignored a written warning from our NUHW attorney that put the board on notice that engaging in the illegal lockout subjected the district to back pay liability. It's exactly this kind of questionable conduct that led the State of California to engage in the extraordinary act of auditing the healthcare district, and now will force the district to stand trial if it doesn't immediately correct its unlawful actions.



*"When will **Board President Jim Gattis** and administration stop relying on the bad advice of scandal-plagued consultants and attorneys for their own self-interest and pet projects and start making decisions in the best interest of the healthcare district? The State's decision re-emphasizes how right we were to strike to stand up for our patients and our families."*-  
Esther Fierros-Nunez, Patient Financial services



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