

Four ex-labor organizers sue union over pay

By Shirleen Holt

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Labor organizers who fought to improve working conditions for the nation's hotel and textile workers have mounted another campaign, this time against their former employer.

In a lawsuit filed in federal court in Seattle, four former organizers for Unite Here, one of the largest labor unions in the country, say they and hundreds of others were expected to work more than 40 hours a week without overtime pay.

They're suing for back wages and seeking class-action status to include an estimated 500 current and former employees who worked for the New York-based labor union after 2002.

Andrew Gibert, who lives near Bellingham but worked all over the United States and Canada, is one of the plaintiffs. He said he worked up to 16 hours a day, seven days a week, traveling, passing out leaflets at factories and knocking on doors in neighborhoods.

When he complained about the hours, he said, his supervisor gave him a verbal warning for a bad attitude. He said the stressful workload put him on disability for a year before he quit in April.

Unite Here spokeswoman Amanda Cooper said the union was unaware of the lawsuit, which was filed in May and amended yesterday.

But she said the nature of organizing requires unusual work schedules.

"We're confident that the suit is baseless," she said, "and we're going to fight it. We are an organization that is committed to the rights of workers."

Federal law requires employers to pay employees time-and-a-half after 40 hours a week unless their job falls into one of several white-collar exemptions, including salaried executives and professionals.

"I don't think there's any legitimate argument that these people were professional," said Ed Budge, a Seattle attorney representing the union workers. "These were the ground troops."

Gibert's partner and fellow organizer, 26-year-old Jennifer Jason, said she worked more hours at the union than she did starting her own company in 2000, the now-shuttered virtualintern.com.

"If I didn't get the work done, I'd get written up," she said.

Jennifer Jason and Andrew Gibert organized under the names Jason N. Kuder and Anne Clare Gibert. Both changed their names after beginning gender reassignment.

A similar class-action suit was filed in April against United Food and Commercial Workers, Local 7, in Colorado. Organizers said they weren't paid overtime for work weeks that stretched to 70 hours.

Longtime organizer Cindy Richardson, who works 50-hour weeks for Unite Here's Seattle affiliate, called the suit "ridiculous."

"When you come into organizing, you know what you're walking into," she said. "This is not a job, it's my passion. It's not like I'm making sacrifices that I'm not willing to make."

Gibert, 46, said the union exploits this dedication, particularly among its younger employees, many of whom are fresh out of college with few family commitments.

"They create this atmosphere that's extremely intense, getting people to buy into the notion that we're part of this movement so you're supposed to sacrifice your home life, your pocketbook, your health, your body. And it works."

Unite Here represents more than 440,000 employees working in apparel, laundry, food service and other service and textile industries. It is one of six unions threatening to form a rival organization to the AFL-CIO, claiming, in part, that the labor federation is spending too much on political donations and not enough on organizing.