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Public sector

## Proposal 4: Home health registry and unionization

4 November 2012

by Nancy Derringer  
Bridge Magazine

Ask supporters of Proposal 4 what it's about, and they will answer as one: The registry.

Ask its detractors the same thing, and they say: The union.

And therein lies the debate. **Proposal 4**, which would amend the state constitution to create the Michigan Quality Home Care Council and allow home-care workers collective bargaining rights, presents different faces to voters.

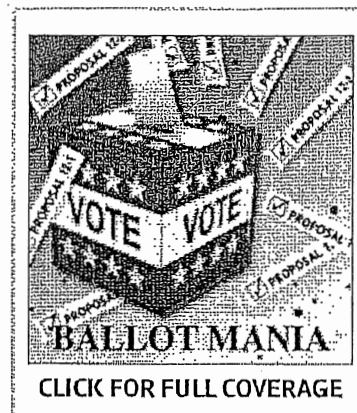
At issue is how to handle the roughly 40,000 individuals who seek employment as home health-care aides, many for their own family members. Working in a twilight zone somewhere between skilled nursing and household help, these aides do everything from errands and housekeeping to meal preparation and help using the toilet or bathing. They're paid little – \$8 an hour is the state average – and work under the Medicaid Home Help program for Medicaid-eligible individuals, most of whom are elderly and/or disabled. Home Help is one of **several programs that divide about \$2 billion** in Medicaid funding for long-term care in the state.

Advertising in favor of the proposal features older people interacting with home-care workers, emphasizing the role these aides play in keeping the elderly and disabled living independently and out of nursing homes. The role of the Service Employees International Union in the issue is never mentioned, but is central to the actual ballot proposal. At stake in this proposal is \$6 million in annual union dues to the SEIU.

On the other side, the part played by SEIU Healthcare Michigan takes center stage in the political drama. The work of the proposed home-care council – background checks on home-care workers, keeping a registry of qualified aides – could easily be

accomplished by legislative action, these opponents say, using words like “skim” and “scheme” to describe the union’s role.

The split began when, under Gov. Jennifer Granholm, an interlocal agreement between the state’s Department of Community Health and several Area Agencies on Aging formed the Michigan Quality Community Care Council, known informally as MQC3. The council was charged with maintaining a registry of home-care workers, providing training where needed and performing background checks. The council answered a real need, said Mary Ablan, executive director of the Area Agencies on Aging Association of Michigan and a supporter of Proposal 4.



“The way it worked before MQC3, people would sign up through state Department of Human Services,” she said. Applicants would submit their forms and then be asked whether they knew someone they wanted to hire to provide the work. Many named adult children, parents, nieces and nephews.

The problem came with people who had no family, neighbors or other known parties willing to do the work.

“Some people didn’t have anyone,” Ablan said. “The DHS would give them a list.”

The lists, she said, were frequently unhelpful, with out-of-date names and phone numbers. And the people on them hadn’t been screened for criminal backgrounds.

“If you knew someone, you were OK, but if you didn’t, you were in a bad way,” said Ablan. “That was what prompted the (registry’s) formation.”

### From registry to organizing

The conflict came in the interlocal agreement’s designation of home-care workers as public employees. That allowed them to organize. A **Citizens Research Council memo on Proposal 4** states that, in 2005, SEIU Healthcare Michigan was recognized as the bargaining unit for approximately 43,000 home-care aides statewide. An election was held, with ballots sent to that many; 6,949 ballots were returned with yes votes, 1,007 had “no” and 589 ballots were spoiled. Dues withholding of 2.75 percent began in November 2006.

The Mackinac Center for Public Policy, a conservative policy group in Midland, has made the issue a special focus for its work since, and runs a “skim tracker” widget on its Michigan Capitol Confidential site, estimating more than \$32 million has been collected in union dues and agency fees since 2006.

The Legislature defunded MQC3 in 2011, and in 2012, Gov. Rick Snyder signed a bill

specifically excluding home health-care workers from public-employee status. The matter is still in litigation, and the dues collection continues.

The registry, however, is on shakier ground. MQC3 Executive Director Susan Steinke said the council has been getting by with financial contributions from various agencies on aging, nonprofit agencies serving the disabled and the SEIU.

“But it’s not been the same,” she said. The registry has served a total of 485 clients seeking help in the last year, 6,728 since its inception.

Opponents say they don’t object to the registry, although they describe the interlocal agreement as little more than a framework to allow the SEIU into the mix.

“The SEIU is looking to amend the state constitution to recognize about 40,000 home-care workers as government employees,” said Wendy Block, director of health policy and human resources for the Michigan Chamber of Commerce, which opposes the proposal. “It’s a skim. There’s no other word.”

Block said that with so many of these workers caring for family members, the union intrusion is particularly unwelcome.

“Look at the case of a dad taking care of his child with cerebral palsy. What is the union going to do to help that dad in terms of getting him higher wages or any other benefit?” she said. “The SEIU is just taking money that would go toward taking care of his family. That’s a pure scam.”

After the passage of Public Act 76, which stripped the workers of their public-employee status, “the union is now trying to get this in the constitution. It’s not about quality of health care, it’s about taking Medicaid dollars and giving it to unions for their political agenda.”

Further, cementing such a designation into the state’s foundational legal document could open a can of worms, and any professional who uses public money to serve private citizens could ask for public-employee status, she said.

“Could a landlord (who takes federal Section 8 dollars as rent) qualify?” she asked. “Could a doctor who treats Medicaid patients?”

For others, the issue comes down to questions of how the issue should be addressed. Keith Angelocci, who owns BrightStar of Novi, a private home-care franchise, asks, “How can you have collective bargaining for people on a registry with no fixed employer? These people are contractors.”

Angelocci said the indigent should get quality care, but “they are policy questions. I don’t know why this is a constitutional question.”

Should Proposal 4 pass, on its effective date the MQC3 would cease to exist and the similarly named Michigan Quality Home Care Council would take its place, Steinke

said. Labor contracts with SEIU would remain in place.

Should it fail, the registry would be cast into limbo, Steinke said. Both sides agree it provides a valuable service, “but what would it look like? Who would fund it? We don’t know.” She estimated the registry could be kept running for a minimum of \$600,000 per year, but said as of now there’s no backup plan to raise it, should the proposal fail.

*Staff Writer Nancy Nall Derringer has been a writer, editor and teacher in Metro Detroit for seven years, and was a co-founder and editor of GrossePointeToday.com, an early experiment in hyperlocal journalism. Before that, she worked for 20 years in Fort Wayne, Indiana, where she won numerous state and national awards for her work as a columnist for The News-Sentinel.*

### **At a glance: Proposal 4**

**WHAT VOTERS WILL DECIDE:** If you vote for Proposal 4, it is effectively a vote for the unionization of – and dues collection from – home health aides, be they employees of private firms or members of the patients’ own families. If you vote against Proposal 4, you are effectively supporting a return to home health policies pre-2006.

**WHAT THE ADS SAY:** Proponents of Proposal 4 have used ads to argue that passage will improve the quality of home health care and ensure that home health aides go through a criminal background check. Opponents of Proposal 4 have used ads to argue that the constitutional amendment is simply an effort by SEIU, a union, to collect millions in dues off of home health aides.

**WHAT THE TRUTH SQUAD SAYS:** Reports by the Michigan Truth Squad have found that ads favoring Proposal 4 were somewhat fair, **though a technical foul** was called for couching the ballot proposal as mainly a safety issue when even proponents have acknowledged that a key focus of ads – criminal background checks for home health care workers – were going on now without passage of the proposal. The Truth Squad has not reviewed any ads directly opposing Proposal 4. However, ads broadcast as part of a general “no” on ballot props campaign **were found to have problems** in asserting motivations without factual support.

### **ON THE BALLOT: PROPOSAL 12-4**

#### **A PROPOSAL TO AMEND THE STATE CONSTITUTION TO ESTABLISH THE MICHIGAN QUALITY HOME CARE COUNCIL AND PROVIDE COLLECTIVE BARGAINING FOR IN-HOME CARE WORKERS**

This proposal would:

Allow in-home care workers to bargain collectively with the Michigan Quality Home Care Council (MQHCC). Continue the current exclusive representative of in-home care workers until modified in accordance with labor laws.

Require MQHCC to provide training for in-home care workers, create a registry of workers who pass background checks, and provide financial services to patients to manage the cost of in-home care.

Preserve patients' rights to hire in-home care workers who are not referred from the MQHCC registry who are bargaining unit members.

Authorize the MQHCC to set minimum compensation standards and terms and conditions of employment.

Should this proposal be approved?

YES \_\_\_\_\_

NO \_\_\_\_\_

No comment yet.

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# Union's role in home care heart of Proposal 4 controversy

By Dawson Bell - Detroit Free Press Lansing Bureau

If the only thing you know about Proposal 4 is what you've seen on TV commercials, you might be surprised to learn that *anyone* thinks it's a bad idea.

Who could possibly oppose the notion that frail elderly people should be able to stay in their own homes and receive compassionate, quality care from workers who've had background checks?

Answer: A significant number of people, including some either receiving or providing in-home care. They say they believe the proposed constitutional amendment has nothing to do with the quality of care and everything to do with perpetuating the means by which the Service Employees International Union claims \$6 million-\$8 million a year in dues from workers caring for patients on government assistance.

In their view, Proposal 4 is the prime example of how special interests have corrupted the Michigan ballot proposal process to serve their own ends.

"This is the most cynical, the most deceptive ... of all the ballot proposals," said Matt Resch, a Lansing-based strategist with the business coalition opposed to several pro-union measures on the ballot. "It's just a joke."

So what would Proposal 4 do? It would:

- Create a Michigan Quality Home Care Council.
- Require the home care council to screen home care workers and maintain a registry of them, and provide job training for workers and financial training for patients.
- Codify in the state constitution workers' right to retain their status (since 2006) as public employee members of SEIU Healthcare Michigan.

That last arrangement, though only a small portion of the amendment's language and entirely unmentioned in the pro-Proposal 4 ad campaign, accounts for 100% of the controversy surrounding it.

In fact, Proposal 4 could best be described as a final showdown in a battle that has raged at the state Capitol over the home care union issue for nearly a decade. It began in 2004, when the administration of former Gov. Jennifer Granholm authorized the creation of a quality home care council at the SEIU's urging. The SEIU was making the same push with Democratic governors in several other states, as well.

The Michigan home care council designated home health care workers caring for patients receiving Medicare or Medicaid as public employees and recognized SEIU as their bargaining unit.

SEIU, after an election in which fewer than 1 in 5 home care workers participated, was certified as the

bargaining agent for all of about 43,000 workers, many of whom are caring for family members.

SEIU and the quality care council signed a contract in 2006, and the state began to deduct 2.75% in union dues from aid payments.

Opponents -- led by the Mackinac Center for Public Policy, a free-market think tank -- have argued from the beginning that the whole thing is a scam. Home health care workers aren't public employees, they said; they work for their patients.

The notion that SEIU and the home care council have anything resembling a labor-management relationship is laughable, said Mackinac Center attorney Patrick Wright. And neither has the authority to set wages and working conditions for home care workers; that's left to the discretion of the Legislature and the patients or their guardians.

When Granholm was replaced by Gov. Rick Snyder, and Republicans assumed control of both chambers of the Legislature in 2010, efforts quickly got under way to terminate the arrangement. Funding for the council was cut off; the dues deduction was scheduled for termination. Both survive for now, thanks to financial and legal efforts by SEIU. But without passage of Proposal 4, they will expire soon.

Dohn Hoyle, a Lansing-based disability-rights activist and spokesman for Proposal 4, said that would be a tragedy. The home care council, registry, screening and training are all valuable for people seeking care for themselves or loved ones, Hoyle said. And the union was instrumental in pushing for them, he said.

Further, Hoyle said, SEIU played a key role in applying pressure to the Legislature that resulted in significant pay increases for home care workers over the last five years.

Hoyle blames opposition to Proposal 4 on "ideology that is so anti-union, they're willing to throw disabled people under the bus."

Opponents of the proposal say there is nothing compassionate about changing the state constitution to preserve the right to skim \$6 million a year from funds used to care for disabled people.

Resch, the strategist, called it "fundamentally dishonest" for Proposal 4's backers to claim it is needed to preserve a right that is not in jeopardy -- the right to home health care -- while not mentioning the real reason for the ballot proposal: that the SEIU lost a political fight in Lansing.

Except for paying most of the bill -- about \$1.9 million to collect petition signatures and nearly \$3 million in TV advertising so far -- SEIU has stayed out of the ballot proposal campaign. Hoyle said the coalition of disability-rights and senior citizens groups backing Proposal 4 is broad but couldn't afford to mount a statewide campaign without the union's help.

SEIU officials did not return a call seeking comment last week and have seldom commented on the controversy or the ballot proposal.

But some of the union's home health care members have spoken up.

Robert Haynes, a 59-year-old retired Detroit police officer from Macomb Township, and his wife care for two severely disabled adult children. He has been outspoken in his opposition to SEIU. Haynes said



he never heard anything about the union-certification election; the first notice he got was when dues started coming out of the family's check.

He said SEIU offices in Detroit never responded to his repeated requests for information and relief.

"We're not home health care providers," Haynes said, "We don't work for the state. We're parents of disabled children.

"I'm not anti-union," he added. "I'm still a member of the (Detroit Police Officers) retirees association. I'm just feeling that we don't belong in this union.

"They say they got us more money," Haynes continued, "Show us, how? Who did you negotiate with?"

Hoyle said Haynes is "an idiot" recruited by the Mackinac Center. (Haynes said he has contacted the center for advice.)

The vast majority of SEIU home health care workers support the union, Hoyle said.

One is Robert Flair, 60, of Warren. Flair, who cares for a 30-year-old severely mentally impaired son, said he voted for certification and supports the union 100%.

"I'm not in this program to make money. I do it because he's my son," Flair said.

But if and when he can no longer care for his son, Flair said, it "will be nice to know... that we can hire somebody who has passed criminal background checks ... (and) has had some training."

Flair said he also credits SEIU with boosting Medicaid payments.

"I've seen the benefits. There's a real difference between pre-union and now."

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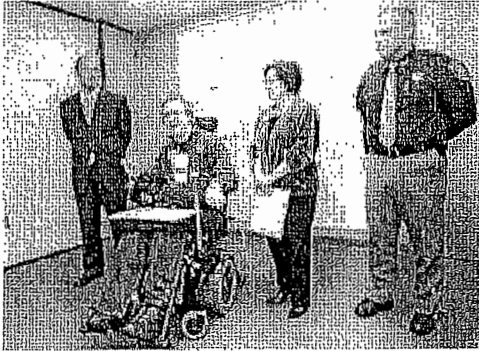
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Metro Detroit  
October 24, 2012  
Proposal 4 polarizes foes, friends of unions  
By Robert Guttersohn  
C & G Staff Writer

Proposal 4 polarizes foes, friends of unions



Scott Heinzman, paralyzed for 30 years, speaks during a pro-Proposal 4 rally with, from the left, Macomb County Prosecutor Eric Smith, Oakland County Prosecutor Jessica Cooper and Macomb County Sheriff Anthony Wickersham. The proposal has garnered the support of several law enforcement officials across the state who say it would increase the safety of the independently living disabled. — Photo by Patricia O'Blenes



Kevin Haynes, 31, suffers from cerebral palsy and, along with his sister, has been taken care of by his parents Robert and Pat Haynes. The Macomb couple is against Proposal 4, which would enshrine collective bargaining for home healthcare providers in Michigan's constitution. — Photo by Robert Guttersohn

DETROIT — Robert Haynes spent 25 years with the Detroit Police Department before retiring.

During that time, he was a proud member of the city's police union.

With that, he says that his family's attempt to retrieve six months' worth of union dues pulled from their Medicaid stipend is not an anti-labor stance.

"It's the fact that we weren't given a choice," said the Macomb Township man who, with his wife, takes care of their two disabled, adult children.

In September, the Mackinac Center Legal Foundation filed a legal complaint with Michigan's Employee Relations Commission on the Haynes family's behalf, asking the commission to force

the healthcare branch of the Michigan Service Employees International Union to return at least six months of dues pulled from the checks of families taking care of disabled loved ones.

“We’re trying to stop the dues now,” said Patrick Wright, senior legal analyst from the foundation. “And we’re trying to get some of the money back.”

But he said the process would continue if voters approve Proposal 4 in November, which enshrines in the state constitution the collective bargaining rights of home-healthcare providers.

On the opposite end of the spectrum is 50-year-old Scott Heinzman who, at 20, suffered a spinal injury during a swimming accident. He’s been confined to a wheelchair since but is living independently.

Heinzman, who is on the board of directors for the Michigan Quality Community Care Council, said the guaranteed unionization of home-healthcare providers means higher quality care for people like him.

“Proposal 4 will allow seniors and persons with disabilities and our veterans that are coming back with disabilities the choice to direct their own care while remaining healthy and independent in their own homes instead of forcing them into a more expensive nursing home option,” Heinzman said.

If approved, Proposal 4 would amend the state’s constitution to provide limited collective bargaining among caretakers. Additionally, it would establish the Michigan Quality Home Care Council, which would operate a registry of trained, background-checked healthcare providers for the disabled.

The MQCCC, which would become MQHCC if the proposal passes, has existed since 2004. Heinzman said it created a registry of pre-screened caretakers.

“Partisan politics have brought us almost to a halt on operating the registry and the other activities the quality community care council does,” Heinzman said. The proposal would reinstate the council and has garnered the support of law enforcement officials across the state, who say it is not a partisan issue but a safety issue.

Macomb County Prosecutor Eric Smith said the proposal creates an opportunity for the state to be proactive in fighting crimes against people with disabilities.

“(With the passage of the proposal) we have an opportunity to get in front of this crime, the entire state of Michigan has the opportunity to get in front of this crime and stop it before it happens,” Smith said at a recent press conference endorsing Proposal 4.

But the Haynes family and MCLF believe it would only pad SEIU’s coffers.

Robert Haynes and his wife, Pat Haynes, have two children —Kevin, 31, and Melissa, 34, suffering from cerebral palsy.

They've taken care of their two wheelchair-bound children throughout their lives and receive Medicaid checks from the state to do so.

Beginning in October 2006, they've had 2.5 percent in union dues taken out of each check they receive per child, or about \$30 a month, Robert Haynes said.

He said it doesn't sound like much money, but to some families, it is.

"We're fortunate enough that we've worked our whole lives," Robert Haynes said. "It hurts, but it's not devastating to us. Other families may need the money much more."

The unionization of Michigan's home-healthcare providers began in 2005 after those within the bargaining unit —both professional and family members —voted to be unionized under SEIU, explained Ruthanne Okun, the director of the Bureau of Employment Relations.

"It was basically a consent-election ballot sent out to all the people in the bargaining unit," Okun said.

Robert Haynes said he does not remember a ballot being sent to his home. He and his wife were unaware that they had become part of the union until the first amount of money disappeared from their checks.

In 2011, Gov. Rick Snyder and the Legislature passed a law bringing an end to the process and defunding MQCCC, but SEIU will continue to collect the dues until February, when its current contract expires.

The Haynes family is among 44,000 families the Mackinac Center Legal Foundation claims are owed money from SEIU.

Altogether, the foundation claims SEIU has pulled \$32 million in dues from different families' Medicaid check since 2006.

Wright said the foundation is seeking the last six months of dues, about \$3 million, because that is all the statute of limitations will allow them.

"Most of these people are taking care of loved ones," Wright said. "They're really not government employees. So a public sector union doesn't really make sense for them, given how the program works."

SEIU argues that the families like the Haynes family are public-sector workers.

“A home help provider, paid through Medicaid and registered and regulated by a state-created agency, is within this broad umbrella of ‘public service,’” said John Canzano, a spokesman from SEIU healthcare, in a statement.

But Robert Haynes disagrees.

“What can they do for us?” Robert Haynes said of the union. “They don’t represent us. We’re simply parents taking care of our kids.”

You can reach C & G Staff Writer Robert Guttersohn at [rguttersohn@candgnews.com](mailto:rguttersohn@candgnews.com) or at (586)218-5006.

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Election 2012

5:01 AM MON OCTOBER 29, 2012

## Proposal 4 would establish home-help registry; protect workers' right to unionize

By [RINA MILLER](#) (@PEOPLE/RINA-MILLER)

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3:24

Proponents and opponents explain their positions on Proposal 4.

There's a debate in Michigan over whether people who provide in-home help to those with disabilities and some elderly should be guaranteed the right to collective bargaining under a Constitutional amendment.

That's part of what Proposal 4 is about.

Elizabeth Schultz lives in an apartment in Holland with her cat, Kiko. Schultz is college educated, teaches a class at a community mental health agency and is a deacon at her church.

Schultz also has cerebral palsy. She needs help doing nearly everything. She describes herself as 45 years old from the neck up, but from the neck down, little better than an infant.

"When people see me, they look at the chair and assume that I don't have any intellect and they talk down to me and they want to treat me like a child," Schultz says.

Leah Kroll, 51, has been Schultz's primary caregiver for the last eight years. She comes over twice a day to help Schultz out of bed, into the bathroom and shower. Kroll cooks, cleans and does everything Schultz can't.

"We call it the monster in the room, because it's kind of always there, isn't it," she says. "It's something that tugs at you many times a day when it comes to things that you want to do, or places you want to go."

Schultz's greatest fear is that without reliable home help care, she could end up in a nursing home.

Tesille LaFever, 47, of Warren has worked as a caregiver for 15 years. She has two



[http://2012elections.michiganradio.com/michiganradio/2012/10/29/07613\\_P01](http://2012elections.michiganradio.com/michiganradio/2012/10/29/07613_P01)

Credit Rina Miller / Michigan Radio  
Elizabeth Schultz and her caregiver of eight years, Leah Kroll, both of Holland.

clients for whom she provides a variety of services.

"I do laundry, I cook for them. I give them showers," LaFever says. "But I'm also there for companionship. We talk. I know what kind of medicine she takes. I do pretty much everything you could think of -- like if you had to take care of somebody at your home."

LaFever says training provided by the State of Michigan has been very helpful to her. She points to a large binder filled with class materials on her coffee table.

"CPR and first aid is one of them. Dementia is another. Bipolar, safety, transporting a person from a wheelchair to a bed or a bed to a chair, or the car, or the bathtub. We've been through tons of stuff in training," LaFever says.

The binder also contains the certifications LaFever received after completing her classes.

LaFever believes she and her clients are protected by her membership in the Service Employees International Union, or SEIU.

"We have a choice, just like the client has a choice to pick you," she says. "If you have any reason that you feel you don't want to work with this person, then you don't have to."

But a lawsuit filed by the Mackinac Center of Michigan is challenging a requirement that caregivers like Kroll and LaFever join the union, or pay an agency fee for helping them find clients.

The Mackinac Center says because caregivers are paid in Medicaid dollars, they are private contractors, not public employees, so they can't be in the union.

Proposal 4 would decide the issue: Let home health workers organize and protect it in the Constitution.

It would also create a registry of workers who pass background checks, provide training for in-home care workers, and financial services to patients to manage the cost of in-home care.

But it's the union part that some people oppose.

Patrick Wright a lawyer who works at the Mackinac Center.

He says Proposal Four is nothing more than a money grab by the Service Employees International Union -- or SEIU.

"The concept of a criminal background check and registry are both uncontroversial, but they've changed to what I consider a poison pill of turning people who aren't public employees into public employees, and thereby allowing the SEIU to gather about \$6 million a year out of this program that should be going into low-income families that need help raising developmentally disabled children that are now adults or the elderly," Wright says.

The SEIU didn't respond to repeated requests for an interview. Instead, we heard from Dohn Hoyle, who co-chairs Citizens for Affordable Quality Home Care. Hoyle says the union does a lot for in-home caregivers.

"People who provide these important services were receiving less than minimum wage in many cases, and certainly even where wages were above minimum wage, competing with McDonald's for staff, once the workers organized, then the exemption that allowed them to pay less than minimum wage was overturned," Hoyle says.

Minimum wage in Michigan is \$7.40 an hour.

The average pay for home help workers is \$8.00 an hour. They don't get health insurance, vacation or travel reimbursement. Their union dues are 2.5 percent of their earnings. They are not obligated to join the union, but if they decline, caregivers must pay an agency fee of about 2 percent. That fee is in return for helping caregivers find clients.

Proponents believe Prop 4 will help workers continue to get better pay and help protect the people they care for.

Opponents say the state has enough safeguards and doesn't need union interference.

***\*This story was informed by the Public Insight Network. [Share your story here](http://www.publicinsightnetwork.org/form/michigan-radio/b150e1fa80fb/share-your-questions-expertise-or-story-ideas) (http://www.publicinsightnetwork.org/form/michigan-radio/b150e1fa80fb/share-your-questions-expertise-or-story-ideas).***

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## Proposal 4: Really bad news

By the Midland Daily News | Posted: Monday, October 1, 2012 12:00 pm

The advertisements in favor of Proposal 4 make people think that voting yes on this proposal will ensure people get help in their homes if they are sick or otherwise in need of help in performing needed chores around the house. They make people think that by voting yes, trained professionals will help out grandpa or grandma when no one else is around to do so.

But the fact of the matter is that these ads are as misleading as the ballot language.

Proposal 4 is a petition backed by a group that calls itself the "Keep Home Care Safe" group and that is financed by the Service Employees International Union to continue a scheme of forced unionization of home health care workers.

The scheme was aided and abetted by former Gov. Jennifer Granholm who helped the SEIU set up dummy businesses skim money off the top of payments to home health care workers who never sought unionization nor are protected by the union's rules.

The skimming of dues from clients' Medicaid subsidy checks was supposed to be terminated this year by a law signed by Gov. Rick Snyder that declared the unionization of these workers, many of whom are parents taking care of their disabled children, illegal because they are not state workers.

But the skimming continues.

The ads also claim that criminal background checks will be done on home health workers, but according to the Mackinac Center for Public Policy, of the 44,000 people unionized under the scheme, only 933 had criminal background checks. The reason? The remainder of the home health care workers are taking care of family and friends and don't need one.

Let's be clear: All Proposal 4 will do is keep sending state money to the shell companies set up under the auspices of the SEIU from Medicaid subsidy checks, and it will give it constitutional protection.

Vote no on Proposal 4. It really is bad news.

Posted on Wed, Oct 31, 2012 : 6:30 p.m.

## **MLive Media Group: Vote no on Michigan's Proposal 4 to prevent forced unionization of in-home workers**

By MLive Media Group

There are some meaningful proposals that deserve thoughtful consideration on the state ballot on Nov. 6; **Proposal 4** is not one of them.

It is a crass grab for union membership that extends into private homes and into the state constitution, and deserves a resounding “no” vote.

Proposal 4 ([http://www.ewashtenaw.org/government/clerk\\_register/elections/2012-elections/november-6-2012-unofficial-local-proposals#proposal-12-4](http://www.ewashtenaw.org/government/clerk_register/elections/2012-elections/november-6-2012-unofficial-local-proposals#proposal-12-4)) is the continuation of an eight-year, see-saw battle to unionize home health-care workers. Where it stands now: the Service Employees International Union has won a temporary injunction against a state law from earlier this year that declared home health care workers are not public employees, invalidating the union.

Now, backers of this proposal want to skip the legislative and judicial processes, and enshrine into the state constitution collective bargaining rights for 42,000 home health-care workers. A state constitution that forces people to join a union? That's absurd.

Don't be fooled by ad campaigns that suggest the issue is quality of care for the elderly or infirm. This is about returning to forced unionization of low-wage service workers, many of them single employees of a family ([http://www.mlive.com/politics/index.ssf/2012/10/michigan\\_decides\\_2012\\_proposal\\_1.html](http://www.mlive.com/politics/index.ssf/2012/10/michigan_decides_2012_proposal_1.html)) arranging care for a loved one.

In many cases, those employees may be family members themselves - paying compulsory union dues for what is a practical act of compassion. That is a ludicrous affront to personal liberties and an intrusion into private homes.

The proposal also would re-establish an enabling body, the Michigan Quality Home Care Council, which would have authority over the in-home workers, and which would purport to provide “training opportunities,” provide a registry that “may refer” qualified providers and ensure financial management services “are available” to participants who hire providers.

All that equivocation obscures the fact that all of those safety nets already exist, through professional associations and community service organizations like the United Way. It would be easier to argue



That Proposal 4 creates a false sense of security, suggesting but not mandating quality measures.

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standards ... and other terms and conditions of employment of individual providers by program participants." That is, a prevailing wage that does not take into account the means of families who hire the workers, what the market will bear or what the employee is willing to take. That, and establishing other work rules within private homes - all enshrined in the state constitution.

All of this fighting over what in reality are personal decisions by caring families dealing with trying situations begs the question: Where is the problem that Proposal 4 is aiming to fix? There isn't one; this simply is an attempt to swell union ranks and drive up wages.

That's all there really is to Proposal 4, and it's all bad for Michigan and some of its most vulnerable families. "No on 4" is the obvious answer at the polls on Nov. 6.

Read complete coverage on Proposal 4 (<http://topics.mlive.com/tag/protect%20our%20jobs/index.html>)

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## Comments

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