



Written by [Bob Adelman](#) on December 8, 2014

Service Employees Int'l Union Suing Fast-food Stores for "Wage Theft"

The Service Employees International Union (SEIU) joined with New York State's attorney general and [filed suit](#) against Ron Johnson, the owner of five Papa John's pizza stores in downtown Manhattan, for "wage theft" back in October. The two interlocked forces are seeking \$2 million in damages for failing, according to the two plaintiffs, to pay adequately more than 400 pizza delivery drivers.



According to the *Daily Signal*, SEIU and New York's attorney general really don't work out of the same office, but they might as well. The statement from AG Eric Schneidermann contained this comment from Kendall Fells, the organizing director for Fast Food Forward:

Fast-food workers all across the city and country are organizing for higher pay and union rights....

This suit shows why the campaign is so important. And it shows that Attorney General Schneidermann is serious about holding fast-food companies accountable for wage theft.

Fast Food Forward is the current resurrected iteration of the disgraced Association of Community Organizations for Reform Now (better known as ACORN) freshly funded with millions from SEIU. It has found a friend in Schneidermann, who successfully exacted hundreds of thousands of dollars (the actual amount of the settlement is unknown) from the owners of six Domino's Pizza stores in 2013 for allegedly not paying their workers minimum wage, overtime, or personal vehicle reimbursements, along with another \$500,000 from the Cisneros Group, operator of a number of New York McDonald's restaurants.

Efforts to unionize fast-food workers have failed miserably, and so SEIU has decided to focus its attack on the owners, one at a time. Rick Manning, communications director for Americans for Limited Government (ALG), sees the danger in the too-close link between SEIU and the New York AG's office:

[FFF is] basically out to unionize the fast-food work force and to campaign for a minimum-wage increase. They are targeting non-union companies and applying pressure.

What we are seeing in New York and other parts of the country is an effort to use government as an organizing tool for unions.

The devious subterranean effort is nothing less than extortion, according to ALG's president, Nathan Mehrens:

ACORN's abuses of the public trust were so grievous that Congress denied them funding and shut them down.

Now, SEIU is recycling these same bad apples, hoping no one notices that their effort is nothing more than a rotten-to-the-core extortion scheme.

SEIU's brazen frontal attacks to pressure fast-food workers to join their union and pay it dues face



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nearly insurmountable obstacles. First, most of the minimum-wage workers are just glad to have a job and couldn't care less about being unionized. Second, for many a minimum-wage job is a stepping-stone to a better, higher-paying job, and they don't want the baggage of union membership sullyng their resumé. Third, the rate of turnover in the fast-food industry is legendary — often exceeding 50 percent in a year — so the extraction of dues and replacing those who have left with new members would be a nightmare for the unions.

In addition, public support for union thugs inside SEIU continues to drop. The latest numbers from Pew Research (February 2014) showed the “long downward slide for unions” both in absolute numbers (11.9 million in 1983 to 7.3 million in 2013) and in percentage of all U.S. wage and salary workers (20 percent in 1983 to 11 percent in 2013). Put another way, in 30 years union membership in the United States has dropped by nearly 50 percent.

Attempts to whitewash and tout the success of SEIU's efforts to unionize the fast-food industry are legion. For instance, Bruce Horowitz, writing in *USA Today* in September, following the arrests of a few union-subsidized troublemakers in New York, tried to make the most out of them. His union sources told him that the protests organized by SEIU had resulted in the arrests of more than 430 workers, which showed just how much momentum the movement was gaining. This was a success, according to the same Kendall Fells working closely with New York's AG:

There has to be civil disobedience because workers don't see any other way to get \$15 an hour and a union.

There's a long history of this, from the civil rights movement to the farm workers movement.

Aside from Kell's outrageous endorsement of law-breaking by calling it civil disobedience, the numbers simply didn't add up. The union launched a nationwide “protest” in more than 100 cities, which included sit-downs and lie-downs in front of the stores. But in New York, just 19 workers who had somehow been brainwashed into quitting their jobs (those minimum-wage jobs are easily replaced by others who want to work rather than protest) were arrested. In Milwaukee the union found 25 freshly unemployed minimum-wage workers willing to give up their jobs and get arrested for blocking traffic. As the executive director of the National Council of Chain Restaurants put it: “Unions are calling it ‘civil disobedience’ when in reality this choreographed activity is trespassing, and it's illegal.”

Union sympathizer Jordan Weissmann, writing in *Slate* following the “success” of the nationwide protest, stretched the truth in ways that would delight any wordsmith in charge of exaggeration:

Consider the numbers. Over roughly the past two years, 13 states have increased their minimum wage, as have 10 city and county governments, according to a tally by NBC News.

Seattle voted to raise its citywide minimum to \$15 an hour by 2018; San Francisco residents will vote on whether to do the same in November.

The mayors of New York, Los Angeles and Chicago have all backed a \$13 wage floor.

And just in case you were looking for a rough barometer of overall public interest in the issue, even Google searches for the phrase “minimum wage” have been consistently more common since the start of 2013.

But have these protests actually gained unions any — any — new members? Why, no, not actually, according to apologist Weissmann: “Overall, union membership has continued its long decline.”

And that's why “tough-guy” tactics such as suing the owners of fast-food restaurants are the final refuge



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of unions such as SEIU. Only through the force of government will owners kowtow to the union's wishes. After all, according to Weissmann, "unions won't ensure their long-term survival without finding ways to expand their rolls," even if it involves breaking the law.

If lawsuits such as the one announced by New York Attorney General Schneidermann and supported by SEIU organizer Kendall Fells against Papa John's succeed, the franchise owners will simply close up shop and move somewhere else where their efforts at providing entry-level positions are better appreciated. This will leave behind, of course, those seeking such positions, all in the name of achieving the unachievable: equity, fairness, and equality, as defined by the unions and their government henchmen.

What a legacy for unions: greater unemployment and an increasingly tarnished public image as they try to stave off their continuing decline.

A graduate of an Ivy League school and a former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at www.LightFromTheRight.com, primarily on economics and politics.



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