

# FEDERAL LAWSUITS AGAINST GOVERNMENT UNIONS FOR FORGING SIGNATURES ON MEMBERSHIP FORMS



As of February 2022, Freedom Foundation attorneys had resolved or were engaged in the following 13 federal lawsuits against six government unions across three states that forged or falsified employees' signatures on union membership forms, resulting in public employers deducting union dues from the employees' paychecks without their consent.



## Washington State

### ■ ***Yates v. WFSE*, Ninth Circuit Court of Appeals, No.: 20-35879 [9th Cir.]**

**Description:** Sharrie Yates, a medical assistant with Washington state's Health Care Authority, attempted to resign her membership in the Washington Federation of State Employees/AFSCME Council 28 in October 2018. The union denied her request, citing an electronic membership form she allegedly completed the previous June. Yates can prove she never submitted the form but, despite numerous attempts to contact the union, it continued to deduct dues from her paychecks.

**Status/resolution:** Awaiting decision from the Ninth Circuit.

### ■ ***Ochoa v. SEIU 775*, Ninth Circuit Court of Appeals, No.: 19-35870 [9th Cir.]**

**Description:** Cindy Ochoa is a home care aide for a Medicaid-eligible family member with functional disabilities. Her union, SEIU Local 775, forged her signature on a membership form, triggering the deduction of union dues from her Medicaid payments by the state.

**Status/resolution:** Judgment and settlement from SEIU 775 of \$28,000.

### ■ ***Gatdula v. SEIU 775, et al.*, U.S. District Court for the Western District of Washington, 2:20-cv-00476-RAJ**

**Description:** Maria Gatdula has been a Medicaid paid home care aide since 2014. She never signed a union membership card but had dues deducted from her paychecks through October 2019. An investigation revealed that her union, SEIU Local 775, falsified Ms. Gatdula's signature on an electronic union membership form and used this to get the state to withhold dues and political contributions from her wages.

**Status/resolution:** An offer of judgment was accepted in March 2021, resulting in the union paying a \$5,000 settlement to Ms. Gatdula and \$12,180 in attorney's fees.

■ **Araujo v. SEIU 775, U.S. District Court for the Eastern District of Washington, 4:20-CV-5012**

**Description:** Sigifredo Araujo is a Medicaid paid home care aide represented by SEIU 775. After requesting and receiving a copy of the membership form the union claimed he signed, he noticed his signature on the form had been forged. The union used the forgery to get the state to withhold union dues and political contributions from his paychecks.

**Status/resolution:** Confidential settlement reached.

■ **Jimenez v. SEIU 775, U.S. District Court for the Eastern District of Washington, 1:21-cv-03128-TOR**

**Description:** Kristy Jimenez is a home care aide for Medicaid-eligible clients with functional disabilities. Her union, SEIU Local 775, forged Ms. Jimenez's electronic signature on a membership agreement. Ms. Jimenez attempted to cancel the unauthorized deduction of union dues from her wages multiple times, but the union refused on the basis of cancellation restrictions in the membership form she never signed. Because SEIU 775 has engaged in similar conduct multiple times, Ms. Jimenez's suit includes RICO claims against the union.

**Status/resolution:** Remains before the federal district court.



## Oregon

■ **Zielinski v. SEIU 503, Ninth Circuit Court of Appeals, No.: 20-36076 [9th Cir.]**

**Description:** Christopher Zielenski's union, SEIU Local 503, forged his signature on not one, but two membership forms, prompting the state of Oregon to deduct union dues from his paychecks for 11 years.

**Status/resolution:** Remains before the Ninth Circuit.

■ **Schiewe v. SEIU 503, Ninth Circuit Court of Appeals, No.: 20-35882 [9th Cir.]**

**Description:** Margo Cash Schiewe is an Oregon public employee. For most of her career she chose not to be a union member, instead paying so-called agency fees required under state law. When those fees were struck down as unconstitutional by the U.S. Supreme Court in *Janus v. AFSCME*, she contacted her union, SEIU Local 503, to ask about the status of fee payments. A union representative told her the court ruling meant she now had to join the union. When she later learned the truth, she confronted the union, only to be told she had signed an electronic membership form, which actually lacks her signature, and had to continue paying dues.

**Status/resolution:** Remains before the Ninth Circuit.

■ **Wright v. SEIU 503, Ninth Circuit Court of Appeals, No.: 20-35878 [9th Cir.]**

**Description:** Jodee Wright is an employee of the Oregon Health Authority. Her union, SEIU Local 503, claims she signed a membership form in October 2017 on an iPad. She disagrees, having no recollection of signing up for union membership. When asked for supporting evidence, SEIU Local 503 could not produce data to confirm her signature, but nonetheless continued to deduct union dues.

**Status/resolution:** Remains before the Ninth Circuit.

### ■ **Jarrett v. SEIU 503, Ninth Circuit Court of Appeals, No.: 21-35133 (9th Cir.)**

**Description:** As an employee of Marion County, Torey Jarrett is represented by SEIU Local 503. When Ms. Jarrett asked the union to produce a copy of the membership form she purportedly signed, she discovered it had been electronically forged. She was able to have dues deductions stopped via a formal demand letter. Her lawsuit seeks to force the county to overhaul its dues collection process to prevent union forgeries from being honored in the future.

**Status/resolution:** Remains before the Ninth Circuit.

### ■ **Trees v. SEIU 503, U.S. District Court Oregon, 6:21-cv-00468 MK**

**Description:** Staci Trees contacted her union, SEIU Local 503, after the U.S. Supreme Court's *Janus v. AFSCME* decision to resign her membership. The union refused to stop deducting dues from her paychecks pursuant to cancellation restrictions in a membership form it claimed she signed. Upon her review, she discovered the signature on the form was not hers. Due to repeated instances of forgery by SEIU Local 503, Ms. Trees' case incorporates RICO claims.

**Status/resolution:** Remains before the district court, with a related case pending before the Oregon Employment Relations Board.



## California

### ■ **Hubbard v. SEIU 2015, Ninth Circuit Court of Appeals, No.: 21-16408 (9th Cir.)**

**Description:** Tanisha Hubbard is a home caregiver for Medicaid-eligible clients with functional disabilities. She learned in late 2018 she didn't have to pay union dues and asked the union to cease the deductions from her pay. Her union, SEIU Local 2015, responded that she couldn't cancel the deductions due to restrictions in a membership form she purportedly signed. The union refused multiple requests to produce the membership form, eventually providing an electronic membership form she never signed.

**Status/resolution:** Remains before the Ninth Circuit.

### ■ **Marsh v. AFSCME 3299, Ninth Circuit Court of Appeals, No.:21-15309 (9th Cir.)**

**Description:** In this case, 10 plaintiffs employed by the University of California and represented by AFSCME Local 3299 variously contend they signed up for union membership after being given false information, had their signature forged on a membership form and/or had their requests for information ignored by the union for months.

**Status/resolution:** Remains before the Ninth Circuit.

### ■ **Quezambra v. UDW AFSCME 3930, Ninth Circuit Court of Appeals, No.: 20-55643 (9th Cir.)**

**Description:** Maria Quezambra is a home care aide for Medicaid-eligible clients with functional disabilities. She contacted her union, AFSCME Local 3930, to cancel dues deductions from her wages, as she had no recollection of ever authorizing them in the first place. After months of pressing the union to see the form she supposedly signed, the union admitted she had never authorized any deductions and the form it provided her was missing information, contained clearly erroneous information and had a forged signature.

**Status/resolution:** Remains before the Ninth Circuit.

