

## The Fairness Center

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### Correctional Facility Nurses File Separate Lawsuits Against SEIU Healthcare Pennsylvania

*Employees allege union officials misled them and violated union's duty to them*

**August 17, 2021, Harrisburg, PA** – Two nurses with the Pennsylvania Department of Corrections have filed separate lawsuits against their union, SEIU Healthcare Pennsylvania (“SEIU HCPA”), alleging that union officials told them incorrect information while trying to get them to sign a new union application.

Alan Wisnewski and Gerri McGraw are forensic registered nurses at SCI-Waymart State Prison, who used to be members of SEIU HCPA. They each allege that union officials told them they could not vote on a new union contract unless they signed a new membership application. But according to the union’s own rules, both Mr. Wisnewski and Ms. McGraw already had the right to vote on the new contract because they were already union members.

What union officials did not tell them was that the new union card contained a provision that union officials claim requires members to keep paying the union even after they resign, unless they ask to stop paying dues during one annual fifteen-day window period. Unaware of this provision, Ms. McGraw signed the new union card after being misled by union officials. Mr. Wisnewski refused to sign the new card and alleges union officials did not give him the opportunity to vote on the new union contract, even though he was a union member who was entitled to do so.

As a result, Ms. McGraw filed a lawsuit alleging that union officials breached their duty of fair representation and other provisions of state law when they misled her into signing a new union card. And Mr. Wisnewski has filed a separate lawsuit alleging that union officials breached their contract with him and their duties to him when they prevented him from voting on a new union contract. They are represented by attorneys at the [Fairness Center](#), a nonprofit public interest law firm that offers free help to those hurt by public-sector union officials. The Fairness Center previously represented Donna Yanoski, another forensic registered nurse at SCI-Waymart, [who alleged in her federal lawsuit](#) that a union official had typed her signature onto the membership application without her knowledge or permission. After Ms. Yanoski filed suit against SEIU HCPA, the union refunded, with interest, all the dues taken since her resignation.

Fairness Center President Nathan McGrath released the following statement:

“Our clients allege that union officials prioritized locking employees into dues payments over making sure union members got the voting rights they were already entitled to. Public employees should be able to trust their union representatives to follow the rules, but unfortunately, that’s not always the case.”

Both cases were filed in the Wayne County Court of Common Pleas.

#### Documents

- [Wisnewski Case Page](#) | [Wisnewski Complaint](#)
- [McGraw Case Page](#) | [McGraw Complaint](#)

Fairness Center attorneys are available for comment. Contact John Sweeney at 609.477.0930, or [jrsweeney@fairnesscenter.org](mailto:jrsweeney@fairnesscenter.org) to schedule an interview.

*The Fairness Center is a nonprofit, public interest law firm offering free legal services to those hurt by public-sector union officials. For more information visit [www.FairnessCenter.org](http://www.FairnessCenter.org)*